

Forty-First Annual Report
OF THE
RAILROAD COMMISSION
OF THE
STATE OF FLORIDA

FOR THE YEAR 1937



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COMMISSIONERS

GEO. G. MCWHORTER, <i>Chairman</i> , Commissioner;	}	Aug. 17,
E. J. VANN, Commissioner;		1887, to
WILLIAM HIMES, Commissioner;		June 13,
JOHN G. WARD, <i>Secretary</i> .		1891.
(Commission was abolished by Act of Legislature, 1891; was re-created by Act of Legislature, 1897.)		
R. H. M. DAVIDSON, <i>Chairman</i> , Commissioner;	}	July 1,
HENRY E. DAY, Commissioner;		1897, to
JOHN M. BRYAN, Commissioner;		Jan. 3,
J. L. NEELEY, JR. <i>Secretary</i> .		1899.
HENRY E. DAY, <i>Chairman</i> , Commissioner;	}	Jan. 3,
JOHN M. BRYAN, Commissioner;		1899, to
JOHN L. MORGAN, Commissioner;		Jan. 8,
J. N. NEELEY, <i>Secretary</i> .		1901.
HENRY E. DAY, <i>Chairman</i> , Commissioner;	}	Jan. 8,
(Henry E. Day resigned October 1, 1932, and was succeeded by R. Hudson Burr. At the same time John L. Morgan was elected Chairman for the rest of the term.)		
		1901, to
		Jan. 6,
		1903.
JOHN M. BRYAN, Commissioner;	}	Jan. 8,
JOHN L. MORGAN, Commissioner;		1901, to
J. N. NEELEY, <i>Secretary</i> .		Jan. 6,
(John L. Neeley resigned October 1, 1901, and Royal C. Dunn was elected as his successor.)		
		1903.
JEFFERSON B. BROWN, <i>Chairman</i> , Commissioner;	}	Jan. 6,
R. HUDSON BURR, Commissioner;		1903, to
JOHN L. MORGAN, Commissioner;		Jan. 3,
ROYAL C. DUNN, <i>Secretary</i> .		1905.
JEFFERSON B. BROWN, <i>Chairman</i> , Commissioner;	}	Jan. 3,
R. HUDSON BURR, Commissioner;		1905, to
JOHN L. MORGAN, Commissioner;		Jan. 8,
ROYAL C. DUNN, <i>Secretary</i> .		1907.
R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	1907, to
JOHN L. MORGAN, Commissioner;		Jan. 4,
NEWTON A. BLITCH, Commissioner;		1909.
ROYAL C. DUNN, <i>Secretary</i> .		Jan. 8,

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 4,
NEWTON A. BLITCH, Commissioner;		1909, to
ROYAL C. DUNN, Commissioner;		Jan. 3,
S. E. COBB, <i>Secretary</i> .		1911.

(S. E. Cobb resigned Sept. 5, 1909 and J. Will Yon was elected as his successor.)

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 3,
NEWTON A. BLITCH, Commissioner;		1911, to
ROYAL C. DUNN, Commissioner;		Jan. 7,
J. WILL YON, <i>Secretary</i> .		1913.

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 7,
NEWTON A. BLITCH, Commissioner;		1913, to
ROYAL C. DUNN, Commissioner;		Jan. 5,
J. WILL YON, <i>Secretary</i> .		1915.

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 5,
NEWTON A. BLITCH, Commissioner;		1915, to
ROYAL C. DUNN, Commissioner;		Jan. 2,
J. WILL YON, <i>Secretary</i> .		1917.

(J. Will Yon resigned August 1, 1917, and Lewis G. Thompson was elected as his successor.)

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 2,
NEWTON A. BLITCH, Commissioner;		1917, to
ROYAL C. DUNN, Commissioner;		Jan. 7,
LEWIS G. THOMPSON, <i>Secretary</i> .		1919.

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 7,
NEWTON A. BLITCH, Commissioner;		1919, to
ROYAL C. DUNN, Commissioner;		Jan. 4,
LEWIS G. THOMPSON, <i>Secretary</i> .		1921.

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 4,
NEWTON A. BLITCH, Commissioner;		1921, to
A. S. WELLS, Commissioner;		Jan. 2,
LEWIS G. THOMPSON, <i>Secretary</i> .		1923.

Note—Royal C. Dunn was not a candidate for re-election.

Note—Newton A. Blitch died on October 30, 1921, and was succeeded by Hon. A. D. Campbell, effective November 12, 1922.

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 7,
A. D. CAMPBELL, Commissioner;		1923, to
A. S. WELLS, Commissioner;		Jan. 2,
LEWIS G. THOMPSON, <i>Secretary</i> .		1925.

Note—A. D. Campbell died on February 10, 1924, and was succeeded by Hon. E. S. Matthews, effective February 25, 1924.

R. HUDSON BURR, <i>Chairman</i> , Commissioner;	}	Jan. 7,
E. S. MATTHEWS, Commissioner;		1925, to
A. S. WELLS, Commissioner;		Jan. 4,
LEWIS G. THOMPSON, <i>Secretary</i> .		1927.
.		
A. S. WELLS, <i>Chairman</i> , Commissioner;	}	Jan. 4,
E. S. MATTHEWS, Commissioner;		1927, to
*R. L. EATON, Commissioner;		Jan. 8,
LEWIS G. THOMPSON, <i>Secretary</i> .		1929.
*Died February 27, 1927, and was succeeded by Mrs. R. L. Eaton, under appointment by the Governor for the unexpired term.		
*A. S. WELLS, <i>Chairman</i> , Commissioner;	}	Jan. 8,
EUGENE S. MATTHEWS, Commissioner;		1929, to
MRS. R. L. EATON, Commissioner;		Jan. 6,
LEWIS G. THOMPSON, <i>Secretary</i> .		1931.
*A. S. Wells died December 16, 1930, and was succeeded by L. D. Reagin, appointed by the Governor to serve for the unexpired term.		
EUGENE S. MATTHEWS, <i>Chairman</i> , Commissioner;	}	Jan. 8,
MAMIE EATON-GREENE, Commissioner;		1931, to
*L. D. REAGIN, Commissioner;		Jan. 6,
LEWIS G. THOMPSON, <i>Secretary</i> .		1933.
*L. D. Reagin resigned and Tucker Savage was issued a commission on July 6, 1931, appointing him to serve for the unexpired term.		
EUGENE S. MATTHEWS, <i>Chairman</i> , Commissioner;	}	Jan. 3,
MAMIE EATON-GREENE, Commissioner;		1933, to
*W. B. DOUGLASS, Commissioner;		Jan. 8,
LEWIS G. THOMPSON, <i>Secretary</i> .		1935.
*Tucker Savage, appointed to fill unexpired term of L. D. Reagin, was not a candidate for re-election.		
W. B. DOUGLASS, <i>Chairman</i> ;	}	Jan. 8,
EUGENE S. MATTHEWS, Commissioner;		1935, to
JERRY W. CARTER, Commissioner;		Jan. 6,
*LEWIS G. THOMPSON, <i>Secretary</i> .		1936.
Commissioner JERRY W. CARTER was elected chairman for the year 1937.		
*Lewis G. Thompson resigned July 3, 1936, and George L. Patten was elected as his successor.		
JERRY W. CARTER, <i>Chairman</i> ;	}	Jan. 6,
EUGENE S. MATTHEWS, Commissioner;		1936, to
W. B. DOUGLASS, Commissioner;		Dec. 31,
GEO. L. PATTEN, <i>Secretary</i> .		1937.

FLORIDA RAILROAD COMMISSION

Tallahassee, Florida

LETTER OF TRANSMITTAL

March 1, 1938.

To His Excellency,
Fred P. Cone,
Governor of Florida

In accordance with the provisions of the Statutes, we transmit herewith the report of the Railroad Commission of the State of Florida for the calendar year, 1937.

Respectfully submitted,

JERRY W. CARTER, Chairman,
W. B. DOUGLASS, Commissioner,
EUGENE S. MATTHEWS, Commissioner.

GEORGE L. PATTEN,
Secretary.

NEW TRUCK CLASSIFICATION

On the 12th day of February, 1935, the Commission issued Notice No. 494, setting down the application of Common Carrier Motor Freight Carriers for authority to adopt Florida Motor Freight Classification No. 3.

Under date of Feb. 22nd by Notice No. 494-A the hearing set under Notice No. 494 was postponed until further notice. Under Notice No. 494-A the Commissioners appointed the following truck lines as a committee to prepare a proposed Truck Classification No. 3:

L. & L. Freight, Lines, Inc.
Elliott-Young-Consolidated.
Star Truck Line.
Tamiami Trail Tours.
Central Truck Line, Inc.
Coast to Coast System, Inc. (Now Great Southern Trucking Co.)
St. Johns River Line Company.

This Committee was charged with the duty of preparing a tentative Classification and submitting same to the Commission.

This Committee was also directed to consult with all Common Carrier motor freight carriers under the jurisdiction of the Commission and arrange for the employment of a competent and experienced Rate Agent, costs to be assessed among common carrier motor carriers on some equitable basis. The Commission notified common carrier truck lines that all proposed rate tariffs and changes in classification would be required to be submitted through this central agency. The following quotation is from Notice No. 494-A:

"The purpose of adopting a revised Classification and the creation of a Central Rate Bureau is to simplify, clarify and unify publication of rates and ratings, and the Commission will expect to receive full co-operation of the carriers in this objective."

The application to cancel Florida Motor Freight Classification No. 2, and to substitute therefor a new Classification No. 3, automatically made this proceeding a rate publication matter as well as a Classification matter for the reason that Classification No. 2 contained **Rates** as well as **Ratings**.

The Committee was organized, as suggested by the Commission, and Mr. L. A. Raulerson, of the Great Southern

Trucking Co., was made Chairman. Later Mr. Raulerson resigned as Chairman on account of his duties in connection with Southern Motor Carriers Rate Conference and Mr. J. H. Elliott, of Elliott-Young Consolidated, was made Chairman. Mr. J. B. Dempsey was made Agent of the Bureau, with headquarters in Tallahassee. Mr. Dempsey served until he was made Agent of the Southern Motor Carriers Rate Conference in Atlanta, Ga. Mr. Dempsey immediately went to work on the preparation of a new Classification. In the meantime a committee of the American Trucking Association, a nationwide organization, was working on a Classification.

The American Trucking Association Committee completed and published Classification VR-1, applying on volume ratings and L. T. L.-1, applying on less than truck load shipments. The committee referred to above then discarded the work done by Mr. Dempsey and presented to the Commission for approval National Motor Freight Classifications LTL-1 and VR-1, as published by Agent Jackson, of the American Trucking Association Tariff Bureau.

Under Notice No. 517 a hearing was had on these two Classifications in Tampa, Fla., on April 2nd, 1936, and a further hearing was held in Tampa on April 2nd, 1936.

In the meantime Agent Jackson had issued his Motor Vehicle Classification No. 2, canceling his LTL-1 and VR-1, publishing all ratings in the one classification. Therefore, automatically, the subject before the Commission was the adoption of Jackson's National Motor Freight Classification No. 2 instead of VR-1 and LTL-1.

The Commissioners have voted to adopt National Motor Vehicle Classification No. 2 on Florida intrastate traffic, but it will not be made effective by Order until the date when the re-publication of Truck Rates, now under consideration becomes effective.

Effective July 1st, 1936, Mr. I. T. Williams was made Agent of the Florida Motor Bureau, with headquarters in Tallahassee, Florida.

RE-PUBLICATION OF MOTOR TRUCK RATES

As stated above, the publication of a new Classification and the Cancellation of Florida Motor Freight Classification No. 2 will make it necessary to re-publish the rates as carried in Motor Freight Classification No. 2. This called the attention

of the Commissioners to the chaotic condition of the freight tariffs of common carrier Motor Vehicles, and it became imperative that these tariffs be brought forward in one publication, as far as it could be done in order to "simplify, clarify and unify" the publication of these rates in the State of Florida.

By Notice No. 532, hearing of this matter was held in Tampa, Fla., on December 8, 9 and 10. Since that hearing Agent Williams of the Motor Bureau has been busy compiling and getting ready for the printer the proposed codification and simplification of freight rates for Common Carrier truck lines. When the final draft of this proposed tariff was submitted, the Committee appointed by the Commission and individual truck lines registered strong protests with reference to certain of its provisions, the proposed treatment of the St. Johns River Line Company being the principal cause of disagreement.

The Commissioners held an informal conference with the St. Johns River Line on January 14th and with the Committee and representatives of other truck lines on Jan. 27 and 28th, in an effort to straighten out these differences.

On November 15, 1937, the Commission issued, effective December 15, 1937, Motor Freight Tariff No. 2, (F.R.C. No. 2), covering all common carrier motor freight rates in Florida, except the water differential rates of the St. Johns River Line Company. The all-truck rates of the St. Johns River Line Company are included in Motor Freight Tariff No. 2, but because of the differential feature of the water-truck rates of that line it was necessary to allow the St. Johns River Line Company to issue its individual tariff covering such rates.

Motor Freight Tariff No. 2 is governed by National Motor Freight Classification No. 2, South, C. F. Jackson's MF-ICC No. 4, and by Exceptions thereto shown in Exceptions No. 1 to National Motor Freight Classification, South, W. M. Miller's MF-I.C.C. No. 3, supplements to or successive issues of said publications.

The differential rates of the St. Johns River Line Company are published in St. Johns River Line Company's Local and Joint Freight Tariff No. 16, Fla. R.R.C. No. A-7, supplements to or successive issues of said publication.

This Tariff is governed by Southern Classification No. 54, E. H. Dulaney's MF-I.C.C. No. 4, and by Exceptions to said

Classification published in Note B Exceptions No. 16 to Southern Classification, and by supplements to and reissues of said publications.

The Commissioners feel that the issuance of Motor Freight Tariff No. 2 and the adoption of National Motor Vehicle Classification is a forward step that has long been needed.

In the past truck lines were allowed to issue individual tariffs practically at will, which resulted in the issuance of "Memorandum Tariffs", "Information Tariffs", and a large number of mimeograph sheets, some of which were without number or date.

This produced an extremely chaotic condition, as no one knew just what the rates were, or where they could be found.

In issuing these new tariffs the Commission Ordered that all individual tariffs of the truck lines in effect on December 14, 1937 be canceled, and that in future no supplement or tariff could be issued without specific authority of the Commission, and further provided that all tariffs and supplements governing motor vehicle freight rates should be issued by the Commission and not by the individual lines.

It is now possible for individuals, traffic managers and corporations to locate the rates with certainty, and not have to do a lot of guess work, as in the past.

TRAFFIC CIRCULAR NO. 36.

Handling U. S. Government Freight Charges: Due to the fact that the United States Government does not make settlement for freight charges on shipments delivered to its employees as promptly as to private shippers, it is hereby **RULED** that on collect shipments for the United States Government or its employees involving a haul over two or more truck lines, the delivering line will not be required to settle charges due connecting lines until such delivering line has received settlement from the United States Government.

TRAFFIC CIRCULAR NO. 38.

Adjustment of Rating on Shark Live Oil, L.C.L.

Application of Elasm Industries, Miami, Fla., for a reduction in the rating on Shark Liver Oil, in steel drums, less carload.

This Company is shipping considerable quantities of Shark Liver Oil, in steel drums, which is used in the manufacture of Poultry Feed. The rating currently being applied was 3rd class. It was contended that taking into consideration the value of this commodity, it should not be rated higher than Cooking Oils and other oils used industrially. The Commissioners were impressed by this reasoning, and Ordered that the rating be reduced to 5th class, both by rail and common carrier motor carriers.

Minimum carload weights on Tar.

The Wood Preservative Manufacturing Company, of Jacksonville, Fla., applied for a reduction in the carload minimum weights on COAL TAR and PETROLEUM TAR, in carloads. The Commissioners Ordered that the carload minimum weight on Coal Tar and Petroleum Tar, in barrels, be reduced to 24,000 pounds, and when in Tank Cars, to 40,000 pounds.

Rates on Locomotive and Locomotives and Tenders.

Chairman J. G. Kerr's Application No. 154, seeking authority to cancel all existing commodity rates and bases for rates applicable between points within the State of Florida, on Locomotives and Locomotives and Tenders, combined, compressed air, electric, gas, gasoline or steam, moved on own wheels and under own power, and to apply in lieu thereof the 7th class rating as published in Item 990, Note B, Exceptions No. 15 to Southern Classification.

This Application was approved.

Rating on Open Mesh Net Bags.

Application for reduction in the rating on Open Mesh Net Bags, such as are used in the shipment of Citrus Fruits, L.C.L. from the current rating of the 4th class, to 5th class.

This was a stubbornly fought case. The Jacksonville Traffic Bureau and the Tampa Traffic Association, also some Citrus interests, lined up with the applicant for the reduced rating, which was stubbornly fought by the rail carriers.

The case involved 128 pages of oral testimony, as well as numerous exhibits, and required an entire day to be heard. The decision of the Commission was that the rating of 5th class had been justified, and also that the description be broadened to read as follows:

"OPEN MESH FRUIT and VEGETABLE SHIPPING BAGS, made of cotton or of water proofed paper, in machine pressed bales, L.C.L. by rail and L.T.L. by truck, 45% of 1st class, or 5th class."

This change in description was deemed necessary because of the fact that these bags, while originally used only for the shipment of citrus fruit, were gradually being adopted for the shipment of other fruits, such as Alligator Pears, and certain types of vegetables.

Animal and Poultry Feed

Florida Intrastate Application No. 1 of the St. Johns River Line Company sought authority to establish the 10th class rating on Animal and Poultry Feed, L.C.L.

After hearing considerable testimony from both the Applicant, the Jacksonville Traffic Bureau and the Rail and Truck carriers the Commissioners decided to approve the Application with reference to the following commodities coming under the general term "Animal and Poultry Feed."

Bakery Refuse of Sweepings.

Bean, Pea or Seed Refuse or Screenings.

Black Strap Molasses Meal.

Charcoal, ground or crushed.

Cracklings, NOIBN.

Fish Meal or Fish Scrap, ground or pulverized.

Meat Scraps.

Milk or Buttermilk, condensed or dried or Whey, dried, (Milk Sugar Feed).

Milk Powder Scrap, cake or ground, or Whey Refuse, dry, or Sour Skim Milk.

The application was not approved with reference to Mineral Mixtures, including such articles as Calcium Carbonate, Copperas, Epsom Salts, Sulphate of Soda, Glauber's Salts and Sulphur or Potassium Iodide.

The application of Intervenor, the Grain Committee of the Jacksonville Chamber of Commerce to broaden the issues so as to include all carriers operating within the State of Florida is not approved for the following reasons:

1. The class rate scales of all Motor Common Carriers in this State except the St. Johns River Line Company, stop at 7th class. They have no 10th class.

2. The Commissioners now have before them Chairman J. G. Kerr's Florida Intrastate Application No. 139, seeking to revise rates on Grain, Grain Products and Feed, by eliminating present less than carload or any quantity rates and to assess 10th class in carloads and 5c per hundred pounds higher than 10th class in less carloads. To adopt the motion of Intervenor, the Grain Committee of the Jacksonville Chamber of Commerce would amount to pre-judging this formal case now before the Commission.

TRAFFIC CIRCULAR NO. 40.

Rates on Fish, Fresh or Frozen.

Application of the L. & L. FREIGHT LINES for authority to published reduced rates on Fish, fresh or frozen from points on the East Coast of Florida to Jacksonville, Fla.

The justification for the proposed rates was that they were made to meet the existing private truck competition. This Application was denied for the following reasons:

1. No attempt was made to show that the present rates of other common carriers serving the territory are excessive.
2. The present class rates of the L. & L. Freight Line are less than the rates of the Railroad Express Agency except on shipments of over 2000 pounds from Salerno, Jenson, Fort Pierce and Cocoa, Fla., to Jacksonville, Fla.
3. The proposed rates do not anywhere near meet the private truck rates now in effect.
4. The adoption of the proposed rates for the limited territory involved would discriminate against Fish shippers from other territories.

The proceeding was dismissed without prejudice to the filing of a case bringing into review the reasonableness of all rates on Fish by all common carriers and between all points in the State.

APPLICATION FOR INCREASES IN RAIL FREIGHT RATES.**Ex Parte 115.**

On October 23rd, 1936 rail carriers in the United States presented to the Interstate Commerce Commission a petition which requested authority to make increases in the rates on a selected list of commodities which it was thought could bear some increases in their transportation charges. On November 21st, 1936 there was filed a supplemental petition proposing to make similar increases in the rates on a further list of commodities. These petitions were filed as the result of an intensive examination of the rates adjustments generally applicable within and between the several territories. The amounts of increases therein suggested were in some cases the same as the amounts provided on the same commodities in the tariff of Emergency Charges; in other instances, the increases proposed were somewhat less and in some others somewhat greater than the Emergency Charges.

All together the rail carriers hoped to increase their charges (not including the emergency charges) by about eighty five or ninety million dollars, or approximately seventy per cent of their earnings per annum under the Emergency Charges Tariff.

In connection with both petitions the Interstate Commerce Commission was requested to vacate all continuing orders to such extent as might prove necessary in order to permit the publication of the proposed rates.

The Interstate Commerce Commission entered into an investigation known as Ex Parte 118 for consideration of said petitions. Before the close of the year the Commission decided to discontinue Ex Parte 118, to deny carrier's petitions for the vacation of continuing orders necessary to enable them to publish the proposed rates and to assign to Ex Parte 115, which was thereby reopened, the matters in the two petitions to which reference has been made.

Hearings in Ex Parte 115 (reopened) were begun in January, 1937, and continued at intervals through five or six months. In the meantime it developed that the Interstate Commerce Commission did not desire in that case to pass upon the carrier's petitions insofar as they proposed increases in rates which were not held by the Interstate Commerce Commission's continuing orders, and the railroads proceeded from time to time during the spring of 1937 to publish their proposed revisions or rates on those commodities which

could be so revised without violation of Interstate Commerce Commission continuing orders.

There were one or two suspensions, but the great majority of the revisions in question were permitted to become effective.

In October, 1937, the Interstate Commerce Commission rendered its decision in Ex Parte 115, insofar as it involved commodities on which specific testimony had been presented, and generally authorized the increases which the railroads had proposed on bituminous coal and coke, iron ore, iron and steel articles, including special iron articles, scrap iron, rails and track material and ferroalloys, petroleum and petroleum products, except to an extent between points in Southern territory; Asphalt, Tar and pitch, lignin liquor and lignin pitch, cement, lime plaster and gypsum blocks.

In the same decision, the Interstate Commerce Commission referred to rates on additional commodities included in carrier's petition on which, due to time limitations, no specific testimony had been presented in the hearings. The Commission stated that it would be its purpose to lift continuing orders to the extent necessary to permit the filing of the proposed increased rates on such additional commodities, subject to protest and possible suspension.

Shortly after hearings in this proceeding got under way the rail carriers filed an application with the Florida Commission, asking that the same increases be allowed on Florida intrastate traffic as were allowed by the Interstate Commission on interstate traffic.

The first hearing on these petitions was held in Jacksonville on January 17, 1938. A hearing was also held in Pensacola, Fla., on Feb. 15th to consider specifically rates on brick and clay products. A final hearing on all commodities was held in Orlando, Fla., on March 1st, 1938.

On November 5, 1937 all rail carriers in the United States petitioned the Interstate Commerce Commission for authority to increase their freight rates and charges. This case became known as the "Fifteen Per Cent Case", and was docketed under Ex Parte 123.

On March 12, 1938 rail carriers operating in Florida filed a similar petition with this Commission. A resume of this petition follows:

**PETITION OF ALL RAILROADS OPERATING IN THE
STATE OF FLORIDA FOR AUTHORITY TO INCREASE
THEIR RATES AND CHARGES.**

The railroads operating in the State of Florida, listed in Appendix 1 hereof, hereinafter referred to as petitioners, respectfully petition this Commission for authority immediately to increase their freight rates and charges within the State of Florida in the amounts and to the extent hereinafter set forth, and in support thereof show:

I.

On November 5, 1937, all rail carriers in the United States petitioned the Interstate Commerce Commission for authority to increase their freight rates and charges. The petition became known as **Fifteen Per Cent Case, 1937-1938, Ex Parte 123**, and was based upon the inadequate earnings of the railroads under their present rates and charges and substantial increases in their operating costs, which taken together seriously impaired their ability to continue to render adequate and efficient railway transportation service. Similar petitions were also filed with the Interstate Commerce Commission by the American Transit Association representing various electric railway companies and a number of water carriers, including the principal coastwise lines serving ports on the Atlantic coast, the Gulf of Mexico and Chesapeake Bay, and including also the Inland Waterways Corporation and the Mississippi Valley Barge Line Company, and by the American Trucking Association, Inc., which comprises 49 affiliated associations of motor carriers of freight throughout the country.

II.

The petition of the railroads stated that steps would be taken to apply the proposed increased rates and charges to intrastate as well as interstate traffic. Consequently, the Interstate Commerce Commission invited a cooperating committee of commissioners selected by the states to participate in the hearings, oral argument and subsequent disposition of the proceedings, which invitation was accepted by the State Commissions.

Hearings on the above-mentioned petitions were held at various points throughout the United States over a period of approximately three months. All interested shippers and receivers of freight, all traffic associations and all persons or organizations interested in the matter of freight rates

and charges were given an opportunity to appear at the hearings and hundreds did appear and offer testimony.

After the close of the testimony the case was argued extensively, the arguments extending over a period of nine days, and numerous briefs were filed. In short, the question whether or not the carriers should be permitted to increase their rates and charges under Section 15(a) of the Interstate Commerce Act was investigated most thoroughly and all phases of the question were given careful and painstaking consideration.

III.

On March 8, 1938, the Interstate Commerce Commission rendered its decision. It concluded that:

"The present revenues of the applicants are inadequate, whether the simple common law tests be applied, or if they be judged by the statute with reference to their sufficiency, under honest, economical, and efficient management, to provide in the public interest adequate and efficient railway transportation service at the lowest cost consistent with furnishing such service. The record shows that the existing basis of rates is not sufficient to maintain in full vigor either rail or water transportation, or to permit improvement of the relations between and the coordination of transportation by motor and other carriers."

And it made the following finding, among others:

"All existing rates and charges, including those for accessorial services other than protective service against heat or cold, upon the date of this decision, including those found or prescribed by us as reasonable and not yet effective, may be increased and as increased may be maintained (subject to application of the rule of fractions suggested upon the hearing) by 10 per cent, except the rates on products of agriculture other than tropical fruits; except the rates on animals and products and the products thereof and articles taking the same rates, horses and mules not being included in this exception; and except lumber, shingles, and lath, and articles taking lumber rates; and except the rates on cottonseed oil; and vegetable oils, n.o.s., other than linseed oil; as to all of which excepted groups of commodities the

increase in rates may be 5 per cent; and except anthracite, which may be increased 10 cents per ton of 2,000 pounds; and except bituminous coal, lignite, coke, and iron ore, which commodities justly and reasonably should bear no further increases than those already imposed pursuant to authority granted in the case last cited; all import rates may be increased 10 per cent, but not to exceed the contemporaneous domestic rates increased as herein provided. But in making such increases, all effective increases accomplished under the authority of the decision last cited, or in the transcontinental rates which were increased in connection therewith as before recited, and in the cotton rates and in those on other commodities effective early in 1937, as above described, shall be taken into account and considered as part of the increases here authorized, so that the above mentioned percentage increases shall not be made cumulative thereon. The increases authorized may not reasonably exceed the specific maxima originally proposed by the applicants to be applied upon lumber, sugar, fruits, and vegetables. Such rates and charges, as those upon fresh milk and cream, and those for protective service, which applicants in their petition or on the hearing disclaimed intention to increase, are not included within this authorization and increases on them are not found to have been justified. As increased as above specified, to the extent indicated, but only to that extent, the resulting general basis of rates and charges of the carriers described will be just and reasonable."

That Commission also modified all of its outstanding orders to the extent necessary to enable the carriers to publish the increased rates and charges found reasonable, permitted such rates and charges to be made effective upon not less than ten days' notice to that Commission and the general public and granted temporary relief from the provisions of the Fourth Section of the Interstate Commerce Act.

IV.

It is the purpose of the carriers to increase their interstate rates and charges in the amounts found reasonable by the Interstate Commerce Commission in its decision in *Ex Parte* 123 and to make these increased rates and charges effective on March 28, 1938. The purpose of the present petition is

to obtain authority from this honorable Commission to make similar increases in the rates and charges on intrastate traffic within the State of Florida. The condition of the rail carriers is so critical that they must increase their intrastate rates and charges immediately by the amounts found reasonable by the Interstate Commerce Commission. Indeed, the increases granted by the Interstate Commerce Commission are totally inadequate, but your petitioners are not asking this Commission to grant any greater increases than were granted by the Interstate Commerce Commission. A failure to permit the carriers to increase their intrastate rates in the amounts found reasonable by the Interstate Commerce Commission will defeat the purpose of Section 15(a) of the Interstate Commerce Act, and will also result in unjust discrimination against interstate commerce, and against persons and localities in such commerce, which is expressly prohibited and declared to be unlawful by Section 13(4) of the Interstate Commerce Act. The rates and charges which your petitioners are here asking this Commission to approve are just and reasonable when measured by any standard under the laws of the State of Florida.

Wherefore, the premises considered, petitioners pray that this honorable Commission grant them authority to increase their intrastate freight rates and charges within the State of Florida to the extent authorized by the Interstate Commerce Commission in its decision of March 8, 1938, and that if a hearing upon this petition is deemed necessary the matter be set down for hearing at the earliest possible date.

On March 8, 1938 the Interstate Commerce Commission rendered its decision in Ex Parte 123. The consensus of opinion is that the increases allowed will approximate 5%.

This application of carriers for the same increases in Florida as were allowed by the Interstate Commerce Commission on interstate traffic will be set down for hearing as soon as possible, at which time all Florida interests desiring to be heard, will be fully heard.

RATES ON PULPWOOD TO JACKSONVILLE.

Under date of November 26, 1937 the Seaboard Air Line Railway applied to the Commission for authority to publish, on Pulpwood from stations on its lines in Florida to Jacksonville, Fla., what is commonly referred to as the "Roanoke-Rapids" scale of rates. These rates are predicated upon a unit of 160 cubic feet, instead of the standard cord of 128

cubic feet, and are somewhat less than the maximum rates of this Commission, based upon the standard cord.

However, there was coupled with this application to make these rates subject to an expiration date of June 20, 1938. Due to the fact that similar rates had been published to Fernandina, Fla., without an expiration date, the paper mill at Jacksonville raised strenuous objection to the publication of these rates with an expiration date.

On February 26, 1938 this Commission issued Order No. 1241, directing the Seaboard Air Line Railway to publish said rates to Jacksonville without an expiration date. The Seaboard Air Line did not publish the rates as ordered, and the matter has been given the following handling as outlined in Order No. 1242, issued March 10, 1938, which is re-produced below:

- "1. By Order No. 1241, dated February 26, 1938, this Commission directed the Seaboard Air Line Railway, L. R. Powell, Jr., and Henry W. Anderson, its Receivers, to publish the same rates on Pulpwood, C.L., from Seaboard Air Line stations in Florida to Jacksonville, Florida that are now applicable to Fernandina, Florida, and set out in detail in said Order the scale of rates.
- "2. On March 1, 1938, the Seaboard Air Line Railway and its Receivers, through its Assistant Freight Traffic Manager, Mr. L. P. King, filed with this Commission exceptions to Order No. 1241 on the ground that this Commission has no authority to issue said Order No. 1241 because the petition of the Seaboard Air Line Railway and its Receivers specifically sought authority to establish rates on Pulpwood, subject to an expiration date of June 30, 1938, and such petition was the only matter legally before this Commission at that time and that this Commission was limited to the granting or denial of this petition, and that in the entry of said Order the Carrier was not accorded just and fair hearing before this Commission. Based on these contentions the Seaboard Air Line Railway and its Receivers asked this Commission to re-consider its Order No. 1241 and limit its effect to the granting of or denial of its petition, or if this Commission determines to enter into an investigation as to the reasonableness of the rates applicable on Pulpwood,

to give lawful notice to the Carriers affected and to assign the matter for formal hearing.

- "3. This Commission has considered the petition for re-consideration of the Seaboard Air Line Railway and its Receivers. While it may be true that the original application of the Seaboard Air Line Railway dated November 30, 1937, sought authority to publish a reduced scale of rates on Pulpwood, C.L.; from its stations in Florida to Jacksonville, Florida, subject to expiration date of June 30, 1938, and no question of the justness and reasonableness of such rates was considered at the hearing, yet it was definitely brought out that the publication of such rates for Jacksonville subject to expiration date, when the same scale of rates was applicable to Fernandina without being subject to an expiration date, created an unjust discrimination against the mill at Jacksonville. This question of discrimination was brought into the case and the issues were so broadened as to consider this question and it was considered by the Commission, and upon this question of discrimination the Commission based its Order No. 1241.
- "4. The Commission is in sympathy with the Seaboard Air Line Railway and its Receivers in its desire and effort to obtain a fair proportion of the outbound tonnage of the Pulpwood Mills located at both Fernandina and Jacksonville and believes that in consideration of the reduced scale of rates on Pulpwood, C.L., published for application to Fernandina and proposed for publication to Jacksonville, it should receive such fair proportion of the outbound tonnage, provided that the spread between the rail rates and the water rates is such as to permit the rail lines to compete with the steamship service. The record seems to indicate that the rail lines are now getting a proportion of the outbound tonnage from the paper mill at Fernandina. If the Seaboard Air Line Railway so adjusts rail rates as to bring them somewhat in line with the water rates from Jacksonville it is entitled and ought to receive its fair proportion of the outbound tonnage of the Paper Mill in Jacksonville in consideration of the reduced rates this Commission has

ordered it to publish from Seaboard Air Line stations in Florida to Jacksonville, Florida.

"Therefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the petition of the Seaboard Air Line Railway and its Receivers dated March 1, 1938, for a re-consideration of Order No. 1241 be and the same is hereby **DENIED**, and Seaboard Air Line Railway, L. R. Powell, Jr., and Henry W. Anderson, Receivers, are hereby required to publish and make effective on the 26th day of March, 1938, on Pulpwood, C.L., minimum 10 cords of 160 cubic feet, from Seaboard Air Line Railway stations in Florida the following scale of rates, to Jacksonville, Florida:

***PULPWOOD, carload, minimum 10 cords, via Seaboard Air-line Railway direct. In cents per cord of 160 cubic feet.**

Distances	Rate
10 miles and under	88
15 miles and over 10	98
30 miles and over 15	106
40 miles and over 30	124
50 miles and over 40	141
70 miles and over 50	159
90 miles and over 70	177
110 miles and over 90	194
130 miles and over 110	211
150 miles and over 130	228
170 miles and over 150	246
190 miles and over 170	264
210 miles and over 190	281
230 miles and over 210	299
250 miles and over 230	318

"*Applicable to Jacksonville, Florida, (proper) and as proportional rates only when used in connection with rates beyond Jacksonville, Florida, lawfully on file with the Interstate Commerce Commission. Not subject to Rules 19 or 2 of our Freight Rules.

"It is further **ORDERED** that this Order is entered without prejudice to the Seaboard Air Line Railway, L. R. Powell, Jr., and Henry W. Anderson, Receivers, to apply to this Commission after

June 30, 1938 for an increase in the above scale of rates and show that the application of the above scale of rates on Pulpwood, C.L., from Seaboard Air Line Railway stations in Florida to Jacksonville, Florida has not resulted in the receipt by Seaboard Air Line Railway of satisfactory tonnage of outbound freight from the Paper Mill located at Jacksonville, Florida.

"DONE AND ORDERED by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida this 10th day of March, 1938.

COMMISSIONER DOUGLASS DISSENTS.

"He is of the opinion that the application of the Seaboard Air Line Ry., with an expiration date of June 30, 1938 should be approved, but is not in agreement with this Order."

REPORT OF TELEPHONE ENGINEER

In the 40th Annual Report mention was made of work being done in preparing the ground work for making perpetual inventories of the telephone properties in this State. During the past year inventories have been made of telephone properties with a view to setting up records which will form the basis of the perpetual inventories.

Attention has already been called to the saving in expense and time in preparing rate cases which this method of perpetual inventories will effect. The following is a list of inventories of outside plant which were made during the past year:

Leesburg Exchange	Blountstown
Tavares (Howey-in-the-Hills)	Marianna
Eustis	Quincy
Mount Dora	Bushnell
Groveland	Umatilla.

This work will be continued until complete records of plant are set up for all telephone companies operating in the State.

In addition to the inventory work above mentioned twenty-seven informal complaints were handled, satisfactory adjustment being made in each case. The following is a list of

towns which were visited by the Engineers where inspections of line, switchboard and station equipment were made and the irregularities causing complaint found and corrected:

Orlando	Callahan
Plymouth	Hilliard
Dade City	Quincy
Star	Mount Pleasant
Cypress	High Springs
Holt	River Junction Rural
Baker	River Junction Local
Fort Walton	McIntosh
Monticello	Citra
Hampton	Howey-in-the-Hills
Malone	Fort Barrancas.

Many lines, subscribers stations, switchboards and miscellaneous telephone equipment were tested during the year. A new type of test set was employed in making these tests. By means of this test set the Engineers were able to correct many faulty conditions thereby improving the quality of the transmission generally throughout the State. Over twenty-nine hundred of these tests were made. The smaller companies in particular have benefited from this work, many cases of trouble of long standing being located and corrected. By means of this new set and the voice meter recently added to the testing equipment used by the Commission's Engineers, very complete information as to the condition of the telephone properties operating in Florida will be obtained, thus enabling the Department to maintain a high grade quality of telephone transmission.

INFORMAL APPLICATIONS AND COMPLAINTS

TA-1. Poor Telephone service. Ft. Walton Woman's Club vs. Southeastern Telephone Company. Adjusted.

RA-2. Abandonment Platform Rital, Florida. Atlantic Coast Line Railroad. Approved.

TA-3. Telephone service. A. J. McMullian, Starr, Fla., vs. Southern Bell. Settled.

RA-4. Abandonment & removal two small shacks at Svea, Florida. Louisville & Nashville Railroad Co. Approved.

REA-5. Closing express agency at Hague, Florida. Railway Express Agency. Approved.

REA-6. Closing express agency at Hines, Florida. Railway Express Agency. Approved.

REA-7. Closing city office at Key West. Railway Express Agency. Approved on condition pick-up and delivery service maintained.

RA-8. Discontinuing handling of passengers, mail & express on Trains 111 & 112 between East Quincy & Havana. Seaboard Air Line Railway. Approved.

TC-9. Telephone listing. O. E. Harrell, Jacksonville, vs. Southern Bell. Settled.

RC-10. Making Cross City schedule stop for "Southland" City Council vs. Atlantic Coast Line Railroad. Dropped.

RC-11. Failure to obtain sufficient cars. H. C. Connell vs. Seaboard Air Line Railway. Settled.

RA-12. Retiring depot building at Spaulding, Fla. Georgia, Southern & Florida Railway. Approved

RA-13. Closing Vilas, Florida, agency. Apalachicola Northern Railroad and Railway Express Agency. Approved.

TC-14. Adjustment of telephone bill. Mrs. James A. Dezell vs. Quincy Telephone Company. Settled.

RA-15. Closing Hague, Florida, agency except during May, June, July of each year. Atlantic Coast Line Railroad. Approved.

RA-16. Discontinuance Sunbeam non-agency station. Florida East Coast Railway. Approved.

TC-17. Deposit required by Telephone Company. H. L. Prescott, DeFuniak Springs vs. Southeastern Telephone Company. Dropped.

RA-18. Dismantling depot at Lake Carroll, Florida. Seaboard Air Line Railway. Approved.

REA-19. Closing express agency at Bonita Springs, Fla. Railway Express Agency. Approved.

RA-20. Dismantling depot at Panasoffkee, Fla. Seaboard Air Line Railway. Approved.

RA-21. Discontinuing Seminole as flag stop for Trains 1 & 2. Seaboard Air Line Railway. Approved.

RA-22. Dismantling shed at Sampson City. Seaboard Air Line Railway. Approved.

RA-23. Dismantling depot at Ashmore, Fla. Seaboard Air Line Railway. Approved.

RA-24. Dismantling depot at Sumterville, Fla. Seaboard Air Line Railway. Withdrawn.

RA-25. Abandoning station at Bithlo, Fla. Florida East Coast Railway. Approved.

RA-26. Closing Morriston agency. Atlantic Coast Line Railroad. Approved.

RA-27. Closing agency at Blanton, Fla. Atlantic Coast Line Railroad. Approved.

RA-28. Abandoning stock pens, Flomaton. Louisville & Nashville Railroad. Approved.

REA-29. Closing office at Kirkwood, Fla. Railway Express Agency. Approved.

TC-30. Service, DeFuniak Springs. D. Stuart Gillis vs. Southeastern Telephone Co. Settled.

TC-31. Telephone service. D. D. Covington vs. Florida Telephone Corporation. Dropped.

TC-32. Service, Lake Worth. H. F. Caldwell vs. Southern Bell Telephone Company. Settled.

TC-33. Telephone service, Crestview. Senator Maypole vs. Southeastern Telephone Company. Adjusted.

TC-34. Telephone service, Howey-in-the-Hills. Jasper Wolfe vs. Florida Telephone Corporation. Adjusted.

TC-35. Telephone service, Cardwell. P. M. Cate, Lake Shore Supply Company and Hull Packing Company vs. Southern Bell Telephone Company. Settled.

TC-36. Telephone service, Monticello. W. I. Phelps vs. Southeastern Telephone Company. Dropped.

TC-37. Protesting closing station. Citizens, Arran, Florida, vs. Western Union. No application filed.

TC-38. Telephone service, Marianna. Major A. Korst vs. West Florida Telephone Company. Dropped.

RA-39. Dismantling depot Daysville. Seaboard Air Line Railway. Approved.

RA-40. Dismantling depot Bunker Lansing. Seaboard Air Line Railway. Approved.

RA-41. Dismantling depot Erie, Fla. Seaboard Air Line Railway. Approved.

RA-42. Dismantling depot at Arredondo, Fla. Seaboard Air Line Railway. Approved.

RA-43. Dismantling depot at Welcome, Florida. Seaboard Air Line Railway. Approved.

RA-44. Dismantling depot at Nokomis, Fla. Seaboard Air Line Railway. Approved.

RA-45. Dismantling depot at Denham, Fla. Seaboard Air Line Railway. Approved.

RA-46. Dismantling depot at Tuckers, Fla. Seaboard Air Line Railway. Approved.

REA-47. Agency, South Jacksonville—discontinuance. Railway Express Agency. Pending.

TC-48. Telephone service, Dade City. W. W. Taylor vs. Florida Telephone Corporation. Settled.

RA-49. Discontinuing Tildenville agency on Tavares & Gulf Railroad. Seaboard Air Line Railway. Approved.

RA-50. Closing Oakland agency. Atlantic Coast Line Railroad. Approved.

RA-51. Dismantling covered shed at Neals, Fla. Seaboard Air Line Railway. Approved.

RA-52. Discontinuing railway agency at Ocklawaha, Fla. Atlantic Coast Line Railroad. Approved.

RA-53. Discontinuing agency at Zolfo Springs. Atlantic Coast Line Railroad. Approved.

TC-54. Telephone service Millville Grade School. M. M. Mashburn, Principal vs. Southern Bell Telephone Company. Settled.

RC-55. Railroad siding, Marianna. G. E. Snow vs. Louisville & Nashville Railroad Company. Pending.

RA-56. Discontinuing agency Tampa Shores. Seaboard Air Line Railway. Approved.

RA-57. Discontinuing agency at Eagle Lake. Atlantic Coast Line Railroad Co. Approved.

RA-58. Abandoning business track at Aycock. Louisville & Nashville Railroad Co. Approved.

RC-59. Discontinuing passenger service on mixed trains 201 & 202 between Tarpon Junction & New Port Richey. Seaboard Air Line Railway. Approved.

TC-60. Telegraph service, Fla. Keys. Messrs. Stapp, Gourley, Ward & Ward vs. Western Union. Settled.

RA-61. Discontinuing passenger trains Nos. 15 and 16. Georgia, Southern & Florida Railway Co. Approved.

RA-62. Discontinuing agency at Anthony, Fla. Seaboard Air Line Railway. Approved.

RA-63. Discontinuing agency at Limestone, Fla. Seaboard Air Line Railway. Approved.

RA-64. Discontinuing agency at Ft. Green Springs, Fla. Seaboard Air Line Railway Co. Approved.

RA-65. Discontinuing agency at Hines, Fla. Atlantic Coast Line Railroad Company. Approved.

ORDER NO. 1232,

DOCKET NO. 1298.

**IN RE: PAYMENT OF INTEREST ON DEPOSITS AND
ADVANCE PAYMENTS BY TELEPHONE COMPANIES.**

**THE RAILROAD COMMISSION OF THE
STATE OF FLORIDA**

—to—

**ALL TELEPHONE COMPANIES OPERATING UNDER ITS
JURISDICTION IN THE STATE OF FLORIDA**

The Railroad Commission of Florida having under consideration the matter of the payment by the telephone companies of interest on all deposits and advance payments required to be made by its subscribers:

It is **CONSIDERED, ORDERED AND ADJUDGED** that the following rule is just and reasonable, and should be adopted and made a part of the tariffs of the telephone companies operating in Florida:

**"PAYMENT OF INTEREST ON DEPOSITS
AND ADVANCE PAYMENTS**

"All deposits which the company requires the subscriber to make as a guarantee of good faith on the part of the telephone subscriber shall bear interest at the rate of 6% per annum to begin and run from date said deposit is required to be made.

"All advance payments required to be made for telephone service shall bear interest at the rate of 6% per annum to begin and run thirty days after such advance payments are made; Provided, that such advance payments when voluntarily made by the subscriber, and for his own convenience, shall bear no interest."

It is further ORDERED that all telephone companies operating under the jurisdiction of this Commission shall make the above rule a part of their tariffs, and observe and comply with the same, or show cause before this Commission at Tallahassee, Florida, on JANUARY 28, 1937, why said rule shall not be adopted and promulgated as a part of the tariffs of the said telephone companies.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 1233,

DOCKET NO. 1298.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: PAYMENT OF INTEREST ON DEPOSITS AND
ADVANCE PAYMENTS BY TELEPHONE COMPANIES.

1. By Order No. 1232 dated January 7, 1937 all telephone companies operating under the jurisdiction of the Railroad Commission of the State of Florida were notified that the Railroad Commission had under consideration the adoption of a rule requiring the payment of interest on deposits and advance payments, and were required to show cause on January 28, 1937 why a rule requiring the payment of interest on deposits and advance payments should not be adopted and promulgated as a part of the tariffs of the telephone companies.

2. Representatives of the Southern Bell Telephone & Telegraph Company and of the Peninsular Telephone Company appeared and were heard on said date and discussed said matter with the Commission and made certain recommendation as to the subject matter of said rule.

3. And it appearing by the evidence before the Commission that no reasonable, valid or legal objection of any kind exists to the final adoption of said rule, it is therefore **ORDERED** by the Railroad Commission of the State of Florida that the following rule be and the same is hereby adopted and promulgated and put into force, and each telephone company under the jurisdiction of the Commission is required to publish said rule as a part of its tariff:

**"PAYMENT OF INTEREST ON DEPOSITS
AND ADVANCE PAYMENTS**

"All deposits which the company requires the subscriber to make as a guarantee of good faith on the part of the telephone subscriber shall bear interest at the rate of 6% per annum to begin and run from date said deposit is required to be made.

"All advance payments in excess of tariff provisions required to be made for telephone service shall bear interest at the rate of 6% per annum, except those advance payments made for temporary disconnect service, said interest to begin and run thirty (30) days after such advance payments are made; Provided, that such advance payments when voluntarily made by the subscriber, and for his own convenience, shall bear no interest."

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 1st day of February 1937.

ORDER NO. 1234,

DOCKET NO. 1289.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: APPLICATION OF THE CITY OF CORAL GABLES
FOR AUTHORITY TO MAKE TEMPORARY SUBSTITU-
TION OF MOTOR BUS TRANSPORTATION IN LIEU OF
ELECTRIC STREET RAILWAY SERVICE.**

Pursuant to Notice No. 726, dated August 24, 1936, this matter came on for hearing before the Railroad Commission of the State of Florida in the City Hall Building in the City of Coral Gables, Florida, on September 6, 1936. The following appeared:

Morton B. Adams for the Applicant City of Coral Gables;

Sidney S. Hoel, for the City of Miami;

R. R. Williams, member of the City Commission of the City of Miami;

Lee M. Worley, Attorney for Dunn Bus Service, Inc;

L. L. Lee, City Manager of City of Miami;

Thomas E. Grady, Traffic Consultant, City of Miami.

The City of Coral Gables seeks by this application the approval and consent of the Railroad Commission to the temporary abandonment by it of the Electric Street Railway line which it operates over the following route in the cities of Miami and Coral Gables:

Beginning at Flagler Street and Miami Avenue, run South on Miami Avenue to Southwest Thirteenth Street; thence West on Southwest Thirteenth Street to South Fifteenth Road; thence crossing South Fifteenth Road diagonally and in a Westerly direction to Southwest Third Avenue; thence on Southwest Third Avenue to Southwest Twenty-Second Street (also known as Coral Way); thence West on Southwest Twenty-second Street, or Coral Way, to the boundary between the Cities of Miami and Coral Gables; and thence continuing West on Coral Way to its intersection with Ponce de Leon Boulevard in the City of Coral Gables, Florida.

The application and the evidence presented at the hearing show that this line has been operated by the applicant for some eight or nine years; that by far the greater portion of the line lies within the City of Miami which has, by a thirty year franchise dated July 14, 1925, and transferred to applicant during February 1927, given the applicant the right to operate the line over its streets.

On November 4, 1935, the hurricane which struck Miami practically demolished the overhead equipment of the line, and it was shown that a complete rehabilitation would cost more than \$20,000.00. The applicant immediately began an emergency bus service, and a few days later requested the City of Miami to amend its franchise to permit the permanent installation of a motor bus system in lieu of the street railway. The City of Miami refused to amend the franchise on the ground that it was planning a city wide transportation system and that no existing rights would be changed pending such plans, but authority was given for the emergency substitution of motor busses pending the adoption of some permanent system. The City of Coral Gables is still operating its motor busses under this temporary authority, but it appears that its original franchise rights to operate a street railway are not impaired. During the summer and fall of 1936 the street railway tracks on that portion of the route known as Coral Way were taken up and removed without authority from this Commission pursuant to a plan to beautify the street. This was apparently done in ignorance of the Commission's jurisdiction in the matter, but this can in no way affect the Commission's authority to order the rail lines replaced and the trolley service resumed should the Commission find it necessary and to the best interests of the public served by the system.

The evidence further brought out that for several months prior to the hurricane of November 1935 steps had been taken toward the abandonment of the street railway line in favor of motor busses. It was shown, and it is the opinion of the Commission, that the abandonment of the street railway is desirable from the standpoint of public convenience and necessity PROVIDED some other form of transportation takes its place which will be of equal or greater service to the public. The testimony of traffic officers brought out that public safety in downtown Miami has been increased by the removal of the trolley cars, traffic congestion on some of the narrow streets over which the street cars ran having been a serious problem causing many delays in schedules and in-

convenience particularly during the tourist seasons. Statistics offered showed that traffic accidents involving applicant's vehicles have decreased more than 50% since the substitution of busses. The change seems to be in keeping with the general trend over the country toward the abolition of street railways in favor of the more modern, flexible and convenient motor bus.

Originally this street railway system consisted of a main or trunk line over the route described above together with certain "feeder" or "loop lines" (now numbering six)—operated wholly within the City of Coral Gables to bring persons from the scattered residential sections to the terminus of the main line. Several years ago the applicant substituted motor busses on these loop lines, abandoning the rail lines without the knowledge or consent of this Commission but apparently in ignorance of the Commission's jurisdiction. The evidence shows that these loop lines, together with a school bus service operated separately for the convenience and safety of children going to and from school, are operated at considerable loss to the applicant, but are both a convenience and a necessity to adequate transportation facilities for the City of Coral Gables which is primarily a residential community most of whose citizens are employed in Miami and trade in Miami. The loss in the operation of the loop lines is made up in part by profits from the operation of the main line, the entire operation incurring a small loss though this has been reduced during the past year since the substitution of busses. The loop lines and the main line appear to be so dependent upon each other that an abandonment of one without the service substituted providing for the continued operation of the other would not be to the best interest of the public served by the system. If a substituted service provided for the operation only of the main line, the severance of its revenues would destroy the loop lines and break down the entire system. The preservation of the present type of service will enable Coral Gables to maintain its residential community, and insure that merchants and commercial interests in Miami will continue to enjoy from citizens of Coral Gables trades which they might otherwise lose.

Because the electric railway system has been adequately serving the transportation needs of the people of Coral Gables, and because it does not appear that the adequate bus service which has been substituted in its place is permanent but on the contrary is subject to termination at any time by the City of Miami, and because it is not at this time assured that

whoever might secure the bus franchise from the city of Miami to operate over the route of this rail line will also operate the loop lines within the City of Coral Gables which the Commission believes essential to the transportation needs of the public served, the Commission intends to sanction by this order only the TEMPORARY abandonment of the street railway line described above. Before authorizing permanent abandonment the Commission must be satisfied that the transportation service to be operated in the place of the street railway will have reasonably permanent authority from the two municipalities involved, and will be operated by someone capable and willing to furnish a service as reasonably complete and satisfactory as that now being given by applicant, and particularly guaranteeing the continued operation of the loop as well as the main lines. The Commission believes that it has ample authority in law to require such assurance and guarantee to the public before authority is given to abandon a transportation system over which it has jurisdiction and where there is public necessity for the service which is being rendered.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida:

- (1) That in accordance with the foregoing opinion the temporary abandonment by the City of Coral Gables of its street railway line into Miami is hereby **APPROVED**.
- (2) That said temporary abandonment is conditioned upon the continued operation by the City of Coral Gables of its present bus service.
- (3) That the Commission shall retain jurisdiction of this matter to make such further orders as may be necessary and proper.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 23d day of February 1937.

ORDER NO. 1235,

DOCKET NO. 1211.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: REDUTION AND/OR ELIMINATION OF EXTRA
CHARGES FOR SERVICE IN CONNECTION WITH THE
DESK SET AND HAND SET OR FRENCH TYPE OF TELE-
PHONE, AND IN CONNECTION WITH SERVICE CON-
NECTION CHARGES.

By Order No. 1172 dated December 22, 1933 rates of 25c per month for Hand Sets, and 10c per month for Desk Sets, in addition to the rate applicable to the wall sets, were prescribed by this Commission effective on the billing dates in January 1934, and jurisdiction of this proceeding was retained by the Commission for such other and further proceedings and orders as to it may seem proper.

Upon further consideration of this matter, and after conference with representatives of the telephone companies, additional reductions have been made in the rate for the Hand Sets.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that from and after the May 6th, 1937 billing date and those subsequent thereto, Hand Sets shall be furnished by all telephone companies subject to the jurisdiction of this Commission now or hereafter serving 10,000 or more stations in the State of Florida at a charge of 25c a month for each set in addition to the charge for service involving the use of Wall Sets, for a continuous period of twenty-four months in the same exchange, and thereafter the charge shall be 15c a month in addition to the charge for service involving the use of Wall Set equipment.

Any present subscriber who on the May 6th, 1937 billing date, or the next thereafter, has paid the extra charge for Hand Set equipment for twenty-four or more consecutive months in the same exchange shall thereafter pay 15c a month in addition to the rate applicable for services involving the use of Wall Set equipment.

Any present subscriber whose consecutive payments in the same exchange up to his billing period on or next after May 6, 1937, have been for less than twenty-four consecutive months, shall continue his present monthly payments of 25c

a month in addition to the charge applicable for service involving the use of Wall Sets only until such twenty-four months' period shall have been completed, and thereafter the charge shall be 15c a month in addition to the charge for service involving the use of Wall Set equipment.

The Commission retains jurisdiction over the subject matter of this Order for such other proceedings and orders as to it may seem proper.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 11th day of March 1937.

ORDER NO. 1236,

DOCKET NO. 1219.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: ESTABLISHMENT OF BOAT SERVICE BETWEEN
TAMPA AND FORT MYERS BY ST. JOHNS RIVER LINE
COMPANY AND APPROVAL OF RATES FOR SAID
SERVICE.**

By Order No. 1185, Docket 1219, this Commission took jurisdiction over the operation of steamboats and boats and/or vessels of ten tons net or over and propelled by gasoline, kerosene, fuel oil or any such like propelling products operating on the East Coast Canal and St. Johns River and engaged in the transportation of freight or passengers for hire. The St. Johns River Line Company was at that time operating boats over these waters transporting freight for hire.

In the Opinion filed in connection with said Order, this Commission held:

"It appears that while the Railroad Commission has no authority to issue certificates of public convenience and necessity to boat lines operating on canals and the inland water-ways, that is, the Commission could not deny the right of boats to operate over said canals and inland water-ways, but if said boats operate as common carriers transporting property or passengers the Commission has the same jurisdiction to fix the rates and traffic charges for the transportation of such passengers or property,

as it has over the rates and traffic charges of railroads and other common carriers".

At the time of the entry of this Order St. Johns River Line Company was operating boats on the St. Johns River and was serving the St. Johns River Valley points also with motor vehicles operated in connection with their boats. Subsequently St. Johns River Line Company purchased the McLeod Line, a truck operation between Orlando and Tampa, and was authorized by the Commission to establish water-truck routes for which the Commission fixed rates under its Order No. 756, dated July 9, 1935.

St. Johns River Line Company now proposes to inaugurate a boat service between Tampa and Fort Myers using the outside route. It proposes to operate The M. V. Lake George with a capacity of one hundred and fifty tons, sailing from Tampa on Mondays, Wednesdays and Saturdays and from Fort Myers on Tuesday, Thursdays and Sundays. It alleges that it has complied with all Federal regulations respecting navigation. It does not intend to serve Bradenton or any other intermediate points between Tampa and Fort Myers. Recognizing and submitting to the jurisdiction of this Commission, it filed on March 22, 1937, its all water, local and proportional Freight Tariff No. 1, filed as I.C.C. No. 12, SB No. 17 and Fla. RRC No. A-4, naming rates on classes and commodities between Tampa and Fort Myers, to become effective April 1, 1937, and asks approval of this Tariff. The rates in this Tariff are based on eighty (80%) per cent of the rail or truck rates, whichever is lower, after first deducting from such rates the amounts of Florida arbitraries when any appear. That is to say, the rates are based on eighty (80%) per cent of the K-2 scale. No objection has been filed with this Commission to the institution of this service, nor to the Tariff.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Local and Proportional Freight Tariff No. 1, filed as I.C.C. No. 12, SB No. 17 and Fla. RRC No. A-4 on classes and commodities between Tampa, Florida, and Fort Myers, Florida, issued March 22, 1937, effective April 1, 1937, by St. Johns River Line Company for all water service, be and the same is hereby approved.

It is further ORDERED that jurisdiction of this matter be retained by the Commission for such further investigation

of the rates carried in this Tariff and for such further Order or Orders as may be deemed proper.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 30th day of March 1937.

ORDER NO. 1237,

DOCKET NO. 1302.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF FLORIDA TELEPHONE CORPORATION OF LEESBURG, FLORIDA FOR AUTHORITY TO CONVERT ITS PRESENT MAGNETO SYSTEM INTO AN AUTOMATIC SYSTEM AT CRYSTAL RIVER, FLORIDA, AND TO REVISE THE RATES FOR SERVICE UPON COMPLETION OF THE NEW SYSTEM.

1. The Florida Telephone Corporation presented its petition supported by a petition of its subscribers to telephone service for authority to change its present Magneto System into an Automatic System, and to increase its Exchange Rate Schedule in an amount of 50c per month for business and rural service and 25c per month for city residence service, effective when the improved service is made available. It appearing that a large majority of the subscribers and patrons of the Crystal River Exchange have indicated their desire for this change and joined in the request that the telephone company be permitted this change and to increase its rates for such service:

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the Florida Telephone Corporation be, and it is hereby permitted and authorized to convert its present Magneto System into an Automatic (Dial) type of service at Crystal River, Florida, and when said change has been made to charge the following rates for said service:

WITHIN EXCHANGE AREA

WALL TELEPHONES

	Monthly Rates		
	1-Party	2-Party	4-Party
Business Station	\$4.00	\$3.50	\$
Residence Stations	2.75	2.25

OUTSIDE EXCHANGE AREA**MILES FROM CENTRAL OFFICE**

(Monthly Rates)

Less than 8 Miles Over 8 Miles

Business Stations 8-Party..	\$3.50	\$4.00
Residence Stations 8-Party	2.50	3.00

It is further ORDERED that this cause remain open on the docket of the Commission, and jurisdiction be retained of the same for the purpose of making any further order or orders as to the Commission may seem proper.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of May 1937.

ORDER NO. 1238,

DOCKET NO. 1303.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF FLORIDA TELEPHONE CORPORATION OF LEESBURG, FLORIDA, FOR AUTHORITY TO CONVERT ITS PRESENT MAGNETO SYSTEM INTO AN AUTOMATIC SYSTEM AT GROVELAND, FLORIDA, AND TO REVISE THE RATES FOR SERVICE UPON COMPLETION OF THE NEW SYSTEM.

1. The Florida Telephone Corporation presented its petition supported by a petition of its subscribers to telephone service for authority to change its present Magneto System into an Automatic System, and to increase its Exchange Rate Schedule in an amount of 50c per month for business and rural service and 25c per month for city residence service, effective when the improved service is made available. It appearing that a large majority of the subscribers and patrons of the Groveland Exchange have indicated their desire for this change and joined in the request that the telephone company be permitted this change and to increase its rates for such service:

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the Florida Telephone Corporation be, and it is hereby per-

mitted and authorized to convert its present Magneto System into an Automatic (Dial) type of service at Groveland, Florida, and when said change has been made to charge the following rates for said service:

WITHIN EXCHANGE AREA

WALL TELEPHONES	Monthly Rates		
	1-Party	2-Party	4-Party
Business Station	\$4.00	\$3.50	\$
Residence Stations	2.75	2.25

OUTSIDE EXCHANGE AREA

MILES FROM CENTRAL OFFICE (Monthly Rates)		
	Less than 8 Miles	Over 8 Miles
Business Stations 8-Party	\$4.00	\$4.50 per mo.
Residence Stations 8-Party	2.50	3.00

It is further ORDERED that this cause remain open on the docket of the Commission and jurisdiction be retained of the same for the purpose of making any further order or orders as to the Commission may seem proper.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of May 1937.

ORDER NO. 1239,

DOCKET NO. 1304.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

IN RE: APPLICATION OF FLORIDA TELEPHONE CORPORATION OF LEESBURG, FLORIDA, FOR AUTHORITY TO CONVERT ITS PRESENT MAGNETO SYSTEM INTO AN AUTOMATIC SYSTEM AT WILDWOOD, FLORIDA, AND TO REVISE THE RATES FOR SERVICE UPON COMPLETION OF THE NEW SYSTEM.

1. The Florida Telephone Corporation presented its petition supported by a petition of its subscribers to telephone service for authority to change its present Magneto System into an Automatic System, and to increase its Exchange Rate

Schedule in an amount of \$1.00 per month for business service and 50c per month for city residence service, effective when the improved service is made available. It appearing that a large majority of the subscribers and patrons of the Wildwood Exchange have indicated their desire for this change and joined in the request that the telephone company be permitted this change and to increase its rates for such service:

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Florida Telephone Corporation be, and it is hereby permitted and authorized to convert its present Magneto System into an Automatic (Dial) type of service at Wildwood, Florida, and when said change has been made to charge the following rates for said service:

WITHIN EXCHANGE AREA

WALL TELEPHONES

Monthly Rates

	1-Party	2-Party	4-Party
Business Stations	\$4.00	\$3.75	\$
Residence Stations	2.75	2.50	2.25

OUTSIDE EXCHANGE AREA

Business Stations, 8-Party	\$4.00 per Month
Residence Stations, 8-Party	2.75 per Month

It is further **ORDERED** that this cause remain open on the docket of the Commission and jurisdiction be retained of the same for the purpose of making any further order or orders as to the Commission may seem proper.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of May 1937.

**REPORT OF SPECIAL COUNSEL
TO THE
FLORIDA RAILROAD COMMISSION
FOR THE YEAR 1937**

Counsel for the Railroad Commission employed under the provision of Section 6733 of the Compiled General Laws of Florida, submits the following report for the year 1937.

INTERSTATE COMMERCE COMMISSION CASES

1. Class Rates Within Southern Territory.

On October 1, 1936, the Florida Railroad Commission filed its petition praying the Interstate Commerce Commission to institute an investigation into the Class Rates within Southern Territory, and that an order be issued requiring the establishment of just and reasonable class rates within said territory.

This petition was supplemental to a petition filed by the Joint Conference of Southern State Commissioners and Shippers of which the Florida Railroad Commission is a member.

The present Class Freight rates applicable in Southern territory are the result of investigation and decision of the Interstate Commerce Commission in Southern Class Rate Investigation, Docket No. 13494, and shown in both the original and supplemental reports of the Interstate Commerce Commission and cited and reported in 100 I.C.C. 513; 109 I. C. C. 300; 113 I. C. C. 200 and 128 I. C. C. 567.

This investigation was commenced in 1920 and occupied several years during which economic conditions were unusual and the country was enjoying a period of prosperity greater than has existed since the rates became effective, and prices of commodities at that time were upon a much higher level than at the present time.

Southern territory, as the term was used in the original report in Southern Class Rate Investigation (100 I. C. C. 513) was stated to be roughly the territory east of the Mississippi River and south of the Ohio River and the line of the Norfolk and Western from Bristol, Tennessee-Virginia, to Norfolk, Virginia. It did not include the east corner of Kentucky served by the Chesapeake & Ohio.

For the purpose of the instant proceeding the Interstate Commerce Commission was asked to define Southern territory as:

"that territory beginning at Norfolk, Virginia, (including Newport News, Virginia, and other points in the Hampton Roads area) then following in line of the Virginia Railway to Roanoke, Virginia; then the line of the Norfolk & Western Railway to Kenova, West Virginia (including St. Paul, Virginia, and Bristol, Virginia-Tennessee, respectively on the Norton & Bristol lines of the Norfolk & Western Railway, also including the so-called southern Ohio Group); then following the line of the Chesapeake & Ohio Railway to Cincinnati, Ohio (excluding local points on the Chesapeake & Ohio in Kentucky); then following the Ohio River to Cairo, Illinois, including North-bank Ohio River points and Lexington, Kentucky; then following the Mississippi River to New Orleans, Louisiana, and the mouth of the Mississippi River, including the west-bank Mississippi River points; then east along the shore of the Gulf of Mexico to the Atlantic Ocean; then north along the shore of the Atlantic Ocean to Hampton Roads, Virginia."

By Notice dated November 20, 1936, the Interstate Commerce Commission called attention to the petitions that had been filed with it alleging that the present Class rates within Southern Territory are unjust and unreasonable and praying an investigation into said Class Rates, and said:

"The Commission has decided to grant this request and is therefore prepared to enter an order instituting an investigation into the reasonableness of Class Rates within Southern territory, to be defined as including the region bounded on the north by the line of the Norfolk and Western Railway Company between Norfolk, Virginia, and Kenova, West Virginia, and the Ohio River between Kenova and Cairo, Illinois, and on the west by the Mississippi River between Cairo and the Gulf of Mexico, excluding rates between local points on the line of the Chesapeake and Ohio Railway Company in Kentucky, and including rates between Southern territory, on the one hand, and north-bank Ohio River crossings, the so-called Southern Ohio group, and Helena, Ark., on the other hand. Such an investigation would be confined to class rates within Southern territory, without including any interterritorial rates to or from such territory, and the issue would be limited to the matter of lawfulness under Section 1 of the Interstate Commerce Act.

"It is the belief of the Commission that, if such an investigation is instituted, requests will probably be made at once that it be broadened to include various related interterritorial rates, and perhaps that the issues be broadened also. It seems desirable that such matters be given consideration before the investigation is instituted rather than afterward.

"Therefore, the Commission will receive, on or before December 12, 1936, communications with respect to the proposed investigation, either asking that it be broadened, stating explicitly what broadening is desired and why, or giving reasons why it should not be broadened but confined within the limits above indicated."

This Commission filed its statement with the Interstate Commerce Commission prior to December 12, 1936, and contended that the issues should not be broadened but should be confined within the limits indicated in its petition.

This case has been postponed awaiting decision of the Interstate Commerce Commission in Ex Parte 123.

2. Docket No. MC-2600. In Re: Earle W. Slagle, Contract Carrier Application.

On February 4, 1936 Earle W. Slagle of Lincoln, Nebraska, filed his application with the Interstate Commerce Commission seeking a permit to operate as a contract carrier by motor vehicle in interstate or foreign commerce transporting commodities generally over fourteen specified routes between certain points in Nebraska, Kansas, Minnesota, Wisconsin, Illinois and Colorado. This application was filed under Section 209 (a) and Section 206 (a) of the Motor Carrier Act 1935. These sections contained certain provisions which have come to be known as the "grandfather" clauses.

Division 5 of the Interstate Commerce Commission issued its report and expressed its tentative conclusions in this cause and invited all interested parties and boards and Commissions to file exceptions to this report, if they desired to do so, without formal intervention.

The Florida Railroad Commission filed exceptions and brief to the tentative report of Division 5, objecting to the conclusion reached by that Division that an applicant for a Certificate of Public Convenience and Necessity to engage in interstate commerce on any public highway, even though the

applicant claims a "grandfather" right to operate, can shift the burden of proof to protesting State authorities, or other protestants, simply by showing that he had "a genuine intent to conduct a transportation business", and following such intent, did conduct such business on the grandfather date and continuously thereafter, but in utter disregard of the law and the police regulations of the various States over whose roads the operation was conducted.

This Commission contended that the applicant for a Certificate to operate in interstate carriage has not made a prima facie case of "bona fide operations" by simply showing that he has conducted the operation. In addition, he must show that he has acquired rights which deserve protection by the issuance of a Certificate as a matter of course under the "grandfather" clause. He can acquire such rights only by compliance with State law. The burden, therefore, is upon the applicant to make this showing.

On June 5, 1937, the Commission issued its order and found the applicant entitled to a Certificate as a common carrier of commodities over certain routes holding that where a carrier conducts certain operations without any element of pretense, disguise or concealment, such operations are bona fide as contemplated by the Act. In other words, the applicant established a prima facie case and the burden is upon protestants having knowledge of the operation to produce evidence of a lack of good faith.

3. **Finance Docket No. 11725—Application of Seaboard Air Line Railway, and Its Receivers, to Abandon that Portion of Its Starke-Wannee Branch Extending from Mile Post 707.72 Near Alachua to Mile Post 730.80, the Present Terminus Thereof, at or near Bell, Florida, Approximately 23.08 Miles in Alachua and Gilchrist Counties.**

On July 16, 1936 the Seaboard Air Line Railway, and its receivers, filed application for Certificate of Public Convenience and Necessity permitting the abandonment of approximately 23.08 miles of its Starke-Wannee Branch extending from a point near Alachua to a point near Bell, all in Alachua and Gilchrist Counties, Florida.

The Railroad Commission requested a hearing in this matter and hearing was first set for October 18, 1937 at the Federal Building, Gainesville, Florida. Hearing on this date was postponed. No further date has as yet been set.

LAW CASES

1. **L. & L. Freight Lines, Inc., vs. Railroad Commission. Circuit Court Second Judicial Circuit of Florida for Leon County. Judge Love. Injunction.**

On March 31, 1936 bill of complaint was filed by L. & L. Freight Lines, Inc., against the Railroad Commission of the State of Florida in the Second Judicial Circuit in and for Leon County before Hon. E. C. Love, one of the Judges of said Circuit Court, seeking an injunction to prevent the arrest of its drivers and any interference with the operation of its trucks so long as they were engaged in interstate commerce.

Answer of defendants was filed and the matter was fully argued before the Judge of said Court, and on April 4, 1936 an order was entered denying the application for temporary restraining order with prejudice to plaintiff filing amendment to its bill of complaint and renewing its application for temporary restraining order. Thereupon amendment to bill of complaint was filed on April 15, 1936 and answer to amendment to bill of complaint was filed by defendants on same date, and the matter was fully argued before the Judge of said Court who entered his order on the same date denying said temporary restraining order.

In this proceeding all of the orders of the Interstate Commerce Commission extending the effective date of the Federal Motor Carrier Act of 1935 from October 1st to 15th, 1935 were fully argued, the plaintiff claiming a Federal right to operate under said order over the highways of the State, and defendants claiming that the order of September 30, 1935, extending the effective date of said Act, had been properly construed by Judge A. V. Long of the Federal District Court as a mere administrative order made for the purpose of permitting those who were then operating further time within which to file their applications, and did not confer further rights upon carriers who were not operating prior to October 1, 1935. That if said order was construed as conferring rights upon carriers not engaged in interstate commerce on October 1, 1935, the effective date of the order, the matter would be legislative and not administrative, and any attempt to confer this power upon the Interstate Commerce Commission would be an unconstitutional delegation of power and would render Section 227 of the Federal Motor Carrier Act of 1935 void.

The Judge of the Circuit Court, in his order denying said temporary restraining order, said:

" * * * and it appearing to the Court that the legal principles involved in said application for temporary restraining order have heretofore been passed upon and decided adversely to the complainant's contention in a case involving the same parties before the United States District Court for the Northern District of Florida, and also before Hon. John B. Johnson, one of the judges of the Circuit Court for the Second Judicial Circuit of Florida; and further that such opinions emanating from said Courts are sufficient to generate at least a doubt as to the legal rights of complainant to engage in interstate commerce traffic on the highways of the State of Florida, and along the routes proposed by said complainant."

Thereupon, L. & L. Freight Lines, Inc., took an appeal to the Supreme Court of Florida from the interlocutory order denying application for restraining order entered by the Judge of the Circuit Court on April 15, 1936, and applied for constitutional writ in aid of and incidental to the appeal.

On May 20, 1936 the Supreme Court, by virtue of the power conferred on it by Section 5 of Article V of the Constitution of the State to "issue all writs necessary or proper to the complete exercise of its jurisdiction," granted a modified constitutional writ of injunction pending final hearing on this appeal.

This cause was fully briefed and argued before the Supreme Court of Florida, and on June 26, 1936 the Supreme Court dissolved the constitutional writ entered by it and affirmed the order of the lower Court denying the temporary restraining order. Rehearing was denied on July 16, 1936 and the constitutional writ was dissolved.

The Court in this case held in effect that Congress vested in the Interstate Commerce Commission, by the passage of the Federal Motor Carrier Act 1935, the ultimate authority to investigate and decide which motor carriers have brought themselves within the scope of the protective provisions of the Act insofar as the Federal statute or particular operations appear to be in controversy and require decision upon such statute as a condition to carrier's continuance of operation in interstate commerce. The Court also held that pending findings of fact by the Interstate Commerce Commission on

the issue involved in an application for Certificate of Public Convenience and Necessity it is the duty of the State and Federal Courts to protect by injunctive relief temporary benefits conferred by the Act.

L. & L. FREIGHT LINES vs. DOUGLASS, 169 SO. 370; 124 FLA. 696.

Plaintiff, L. & L. Freight Lines, thereupon filed its second amendment to its bill of complaint stating that its application before the Interstate Commerce Commission for a Certificate of Public Convenience and Necessity was being advanced and an early hearing would be had on the same, and alleging that it was the purpose of the inspectors of the Railroad Commission to arrest plaintiff's drivers and attempt to stop the movement of its motor vehicles in interstate commerce, and the Judge of the Circuit Court, without notice to defendants, entered an order dated July 27, 1936 granting a temporary restraining order in this matter.

This matter is now on final hearing and testimony has been taken of some witnesses but not yet completed.

Hearing before the Interstate Commerce Commission was held at Tallahassee, Florida, beginning September 28, 1936 and concluded October 8, 1936.

On June 14, 1937 Examiner W. W. McCaslin made his report and proposed order recommending the denial of this service between Atlanta, Georgia, and Tampa, Florida, and favored the granting of the application for service in interstate commerce between Atlanta, Georgia, and Tallahassee, Florida, via Americus, Albany, and Thomasville, and also between Tallahassee and Live Oak, Florida, and also between Tallahassee and Marianna, Florida.

Exceptions were filed to this order and arguments has been had before the Commission but no order has as yet been entered.

2. Lawrence Brothers vs. Railroad Commission. United States District Court for the Southern District of Florida. Injunction.

In January, 1936, Lawrence Brothers brought their bill of complaint against the Railroad Commission in the United States District Court for the Southern District of Florida alleging that they were citizens of the State of Tennessee and were engaged in interstate commerce as private contract

carriers under contract with Borden-Southern & Company of New York, and that under said contract they transported only milk and cream, and that said products are exempt under the Federal Motor Carrier Act of 1935, and therefore they should be allowed to operate in the State of Florida without complying with the police regulations of the State of Florida.

Temporary preliminary restraining order was entered by the Judge of said District Court restraining the defendants from interfering with this operation until the matter could be set down for hearing.

Answer and motion to dismiss has been filed by defendants denying the allegations of the bill of complaint and contending that Lawrence Brothers are subject to the police regulations of the State of Florida in their operations.

On March 12, 1937 the case came on for hearing and was heard by Judge Akerman in Jacksonville, Florida, who sat in the place of Judge Strum. After hearing argument of counsel the Court entered an order dissolving the injunction.

3. L. & L. Freight Lines, Inc., and K. & L. Transportation Company vs. Railroad Commission and State Road Department. United States District Court in and for the Southern District of Florida. Injunction.

On October 28, 1936 L. & L. Freight Lines and K. & L. Transportation Company filed their bill of complaint against the Florida Railroad Commission and the State Road Department, seeking an injunction restraining the defendants, their agents and inspectors from annoying or interfering with the business of plaintiffs in their operation of motor vehicles engaged in interstate commerce transporting interstate freight from Georgia to Florida, or from Florida to Georgia, and from enforcing Section 11 of Chapter 14764, Laws of Florida 1931, or Rule No. 67 of the Rules and Regulations of the Railroad Commission in reference to gross load to be transported by motor trucks over the highways of the State, so long as the plaintiffs motor vehicles do not have an unreasonable or excess load so as to cause an inordinate use of the State highways, or are not violating any of the laws of the State of Florida or the rules and regulations of the Railroad Commission that can be imposed against such carriers.

The defendant, members of the Railroad Commission and of the State Road Department, filed their motion to dismiss bill of complaint on the ground, among others, that the States

have never given up their right to prescribe reasonable and non-discriminatory police regulations governing the gross load weight of vehicles using their highways, and that Congress has not attempted to prescribe the gross load weight of motor vehicles in interstate commerce, and neither the Interstate Commerce Commission nor any other Federal agency has been given any authority to prescribe such weights, nor has the Interstate Commerce Commission, or any other Federal agency, attempted to exercise any such authority or prescribe any such regulations, and, therefore, all reasonable and non-discriminatory State regulations of the State are valid and enforceable.

This matter was fully argued and the Judge of the United States District Court for the Southern District of Florida entered his order on October 29, 1936, denying motion for temporary restraining order and dismissing the bill of complaint.

A copy of this order and the memorandum of the Judge is as follows:

**"UNITED STATES DISTRICT COURT, SOUTHERN
DISTRICT OF FLORIDA. JACKSONVILLE
DIVISION. No. 866-J-EQ. IN EQUITY.**

"L. & L. FREIGHT LINES, INC., a
corporation, and K. & L. TRANS-
PORTATION COMPANY, INC., a
corporation,

Plaintiffs,

vs.

"RAILROAD COMMISSION OF
FLORIDA, ET AL., and STATE
ROAD DEPARTMENT OF THE
STATE OF FLORIDA, ET AL.,

Defendants.

ORDER

"This cause having been submitted, after argument upon the pleadings hereinafter mentioned, it is upon consideration thereof,

ORDERED, ADJUDGED AND DECREED:

- "1. The motion, **ore tenus**, of L. & L. Freight Lines, Inc., for a temporary restraining order as prayed in the bill, is denied.

"2. Motion of defendants to dismiss the bill of complaint, is granted.

"3. Exceptions noted for all parties.

"DONE AND ORDERED AT JACKSONVILLE,
FLORIDA, October 29, 1936.

"Louie W. Strum,
U. S. District Judge."

MEMORANDUM

In Sec. 204 (a) (1) of the Motor Carrier Act, 1935, (49 U. S. C. A., 304) Congress authorizes the Interstate Commerce Commission "to regulate common carriers by motor vehicle as provided in this chapter, and to that end the Commission may establish reasonable requirements with respect to continuous and adequate service, transportation of baggage and express, uniform systems of accounts, records, and reports, preservation of records, qualifications and maximum hours of service of employees, and safety of operation and equipment.

It is significant, and worthy of particular note, that the regulation of "weights" of such motor vehicles,—obviously a most important element of regulation,—was not included amongst the matters specifically enumerated in Sec. 204 (a) (1). The Act contains no express or specific regulation, nor authority to regulate, motor carriers as to size or weights. If such authority is to be found in the Act it must be spelled out either from the general language "to regulate common carriers by motor vehicle," or by interpretation of the term "safety of operation and equipment."

The argument that such authority is to be found in the quoted phrases is refuted by the specific provisions of Sec. 225 of the Act (49 U. S. C. A. 325) that "the Commission is hereby authorized to **investigate and report on the need for** Federal regulation of the sizes and weights of motor vehicles and combinations of motor vehicles * * * ." It should be noted that this section does not provide that the Commission shall **determine** by investigation what the sizes and weights of motor vehicles should be, and thereupon to adopt regulations to put the same into effect. The authority is merely to "investigate and report on" the "need" for Federal regulations of sizes and weights,—a wholly prospective matter, clearly indicating an absence of intent to presently regulate in that respect. If Congress intended to presently regulate

in respect of sizes and weights, but desired the Commission to first determine by investigation what the regulations should be and thereafter put the same into effect, more apt language to that end would have, no doubt been used. Sec. 204 of the Act specifically enumerates practically every aspect of regulation, except as to sizes and weights. The language of Sec. 225 of the Act makes it quite clear that the omission of sizes and weights was no mere oversight, but was deliberate. When that omission is viewed in connection with the language of Sec. 225 of the Act authorizing the Commission to investigate and "report on" the "need" for Federal regulation of sizes and weights,—not to determine what such regulations shall be, nor to put any such regulation in effect, but merely to "report"—the conclusion is inescapable that Congress intended to withhold regulation in that respect until some future time.

Of course, the size and weight of vehicles has an indirect effect upon safety of operation and equipment, as it may enter into a consideration of the type and power of brakes with which the vehicle should be equipped. Primarily, however, size and weight is a problem of road stress,—a problem which may vary widely in different States, as well, as in different parts of the same State, depending upon the construction and age of roads. In the latter aspect the problem is therefore one primarily local in nature, which, no doubt, explains why Congress withheld regulation in that respect until the Commission "investigates and reports."

In the absence of Sec. 225 of the Act, it might appear that the Commission has the power to regulate sizes and weights as incidental to safety of operation and equipment, under the powers enumerated in Sec. 204. When viewed in connection with the omission of a specific enumeration as to sizes and weight in Sec. 204 of the Act, Sec. 225 is a clear negation of any present intent on the part of Congress to regulate as to sizes and weights until the Commission has investigated and reported.

The Court has considered the fact that some member of Congress stated in committee or in debate, that when the Commission determined what sizes and weights should be imposed that it could then put such regulations into effect without additional legislation. That statement, however, while pertinent, is a matter of individual opinion of the legislator. The Court is also aware that amendments were offered, which in effect purported to expressly authorize recognition of the continued exercise by the States of their police powers, which

amendments were not adopted. But there may have been many reasons for the rejection of these general amendments. Their defeat does not evidence an intention to pre-empt that field of regulation when taken in connection with the other matter hereinabove mentioned.

Before the Court holds that the regulatory police powers of the States are suspended and superseded so as to deprive the States of authority to prescribe sizes and weights of vehicles using State highways in interstate commerce, there must be clear and unmistakable evidence of an intent on the part of Congress to occupy and pre-empt that field of regulation to the exclusion of the States, assuming for the purpose of this hearing that Congress has the power so to do. For the reasons stated, evidence of such an intent on the part of Congress to regulate as to sizes and weights, is not only lacking, but in the opinion of the Court is negated by Sec. 225 of the Act.

LOUIS W. STRUM,
U. S. District Judge.

Jacksonville, Florida,
October 29, 1936.

Plaintiff, L. & L. Freight Lines, thereupon filed an amendment to its Bill of Complaint and asked for a rehearing of its previous motion for temporary restraining order which motion was denied by above Order of October 29, 1936.

A rehearing was granted by the Court but limited to the question of whether or not Section 11 of Chapter 14764, Laws of 1931, which limits the weight of common carrier trucks to 12,000 pounds, constitutes an undue burden upon interstate commerce even in the absence of Federal regulation as to size and weight of trucks engaged in interstate commerce. This Order was dated January 13, 1937.

On January 18, 1937 plaintiff filed an amendment to its bill and a reargument was had on the matter.

On February 10, 1937 the Court entered its order denying temporary injunction and set down this matter for hearing before a statutory Three Judge Court in New Orleans, Louisiana, on February 19, 1937.

On March 8, 1937 the Court entered its order denying an interlocutory injunction. This cause is still pending on final hearing.

4. **L. & L. Freight Lines, Inc., vs. Railroad Commission and State Road Department of the State of Florida. United**

**States District Court for the Southern District of Florida.
Injunction.**

L. & L. Freight Lines on December 3, 1936, filed its bill of complaint for injunction in the United States District Court for the Southern District of Florida seeking to enjoin the Railroad Commission of Florida, and the State Road Department, from enforcing against it in its interstate operations that portion of Section 11 of Chapter 14,764, laws of Florida 1931, which limits trucks and trailers to a load of 12,000 pounds. The plaintiff contended that by the Motor Carrier Act of August 9, 1935, Congress assumed the regulation of interstate motor carriers for hire preempting the field to the exclusion of State regulation. In other words, the direct question presented by its bill is whether or not Congress has assumed the regulation of interstate motor vehicle carriers as to weight, and if so, whether such Federal regulation displaces the Florida regulatory statute.

This matter was argued before the Court and Judge Strum of the Federal District Court denied the injunction holding that the Federal Motor Carrier Act did not include any express regulation nor offer to regulate motor carriers as to size and weight.

The Court held that under Section 225 of the Federal Motor Carrier Act "the Commission is hereby authorized to investigate and report on the need for Federal regulation of the size and weight of motor vehicles and combination of motor vehicles, clearly indicating the absence of intent to presently regulate in that respect." See 17 Fed. Supp. 13.

5. Central Truck Lines, Inc., vs. Railroad Commission and Seaboard Air Line Railway. Supreme Court of Florida. Certiorari.

On October 12, 1936, Central Truck Lines, an auto transportation company operating under Certificate of Public Convenience and Necessity authorizing common carriage of freight within the State of Florida, filed its petition for writ of certiorari asking the Court to quash four orders of the Railroad Commission granting authority to the receivers of the Seaboard Air Line Railway to operate a substituted rail-freight transportation by motor vehicle between certain of its stations on its line of railroad in various parts of the State of Florida. The Orders attacked of the Commission are: Order No. 716 dated November 26, 1934; Order No. 777 dated August 6, 1935; Order No. 818 dated December 27, 1935, and Order No. 884 dated August 18, 1936.

By these various orders there was vested in the receivers of the Seaboard Air Line Railway a special limited and restricted Certificate of Public Convenience and Necessity known as 183 covering the routes from Jacksonville to Wildwood via Waldo and Ocala; Tampa to Brooksville over State Road No. 5; Tampa to Pinellas peninsular points and points lying between Clearwater and Tarpon Springs on the west and Brooksville and State Road No. 5 on the east, and also Wildwood to Tampa via Plant City. These orders permitted no pick-up and delivery service but was to be a mere substitution for rail service. Central Truck Lines contended that the Railroad Commission by the issuance of Traffic Circular No. 30, dated February 5, 1936, which approved pick-up and delivery service, allowed the rail carriers by the Interstate Commerce Commission, and approving an allowance to consignors or consignees of 5c per hundred pounds on freight delivered to rail stations for shipment and on freight accepted for delivery at rail stations, constituted the rail carrier an auto transportation company. It further contended that a showing of public convenience and necessity was required by the carrier before authority could be granted it to operate as permitted by these orders, and since this showing had not been made the orders should be quashed.

This matter has been fully briefed in the Supreme Court and orally argued on November 17, 1936.

On February 16, 1937 the Court entered its opinion and denied the petition for Writ of Certiorari holding that the orders complained of were merely extensions of the same purely substituted rail service which was upheld in the case of Central Truck Lines vs. Railroad Commission, 118 Fla. 526; 160 So. 22, and that Traffic Circular No. 30, which permitted rail carriers an inaugurated pick-up and delivery service at stations held not unlawful authorization to rail carriers to conduct pick-up and delivery service where same alternative was declared to be allowable to public highway carriers. This case is cited as Central Truck Lines, Inc., vs. Douglass, 173 So. 162.

6. Barber Transportation Company, Inc., vs. Railroad Commission. Circuit Court of Second Judicial Circuit of Leon County. Injunction.

On November 6, 1936, bill of complaint was filed by Barber Transportation Company, Inc., against the Railroad Commission of the State of Florida seeking to enjoin the defendants from interfering with the operations of the motor

vehicles of the plaintiff so long as its motor vehicles are operated exclusively in interstate commerce, and not in violation of any reasonable police regulations of the State of Florida. Temporary restraining order was entered on November 6, 1936, and the matter was set down for hearing on November 16, 1936. Defendants filed their answer and motion to dismiss.

In the answer it was contended that Barber Transportation Company had been operating illegally over the highways of the State of Florida and with total disregard of the laws and rules of the Railroad Commission, and had been many times arrested for failure to comply with the police regulations; that it had given checks both to the Railroad Commission, and to the Comptroller for mileage taxes, which checks had been turned down and payment on them refused; and that even though Barber Transportation Company was operating in interstate commerce it wasn't engaged in a bona fide operation, did not come into equity with clean hands, and was not entitled to any relief from a Court of Equity.

This matter was set down for hearing and proof of the allegations of the answer was submitted by defendants. At the close of the testimony of defendants, counsel for plaintiffs made motion for continuance of the case on account of the illness of representatives of the Barber Transportation Company. The taking of further testimony was postponed to a later date. This hearing was held on December 7, 1936, and no further hearing has been held and the matter is pending upon bill and answer before the Court.

7. Railroad Commission vs. City Taxi Company of Tallahassee, Florida. Circuit Court of Leon County. Injunction.

Many complaints coming to the Railroad Commission that the City Taxi Company of Tallahassee, Florida, was transporting passengers outside the limits of the city of Tallahassee, and the adjacent suburban territory, without a Certificate of Public Convenience and Necessity, and the City Taxi Company refusing to qualify with the Commission and secure a permit for such operation, bill of complaint seeking an injunction to restrain them from such operation, and for the special purpose of obtaining a judicial interpretation of the meaning of "adjacent suburban territory" as set out in Chapter 14764, Acts of 1931, was filed against City Taxi Company in the Circuit Court of Leon County.

A hearing was had before the Judge of said Court on October 2, 1936, on application for temporary restraining

order, and also on motion to dismiss the bill of complaint filed by defendants. Motion to dismiss was denied by the Court and the temporary restraining order was orally denied without prejudice to again present the application if defendants persist in violation of the law.

This case is still pending before the Circuit Court of the Second Judicial Circuit of Florida in and for Leon County.

**8. Tamiami Trail Tours, Inc., vs. Railroad Commission.
Supreme Court of Florida. Certiorari.**

Tamiami Trail Tours, a certificated common carrier of passengers and light express operating between Tampa, St. Petersburg and Miami, Florida, filed its application on May 27, 1935, for an extension of its Certificate of Public Convenience and Necessity No. 28 to transport passengers and light express between Tampa and the Georgia-Florida State line via Brooksville, Inverness, Dunnellon, Williston, Cross City, Perry and Tallahassee over State Highways Nos. 5, 19 and 10.

After an extended hearing lasting several weeks, and after compiling a record of more than 1500 pages, the Railroad Commission wrote its opinion and entered its order denying the application of Tamiami Trail Tours, Inc., on the ground that this territory was almost completely occupied by Florida Motor Lines, Inc., and Gulf Crescent Motor Lines, who were operating regular bus service between Tampa and Tallahassee, Florida, and by Coleman Motor Lines who operated between Tallahassee and the Georgia-Florida line over Highway No. 10.

A majority of the Commission concurred in the opinion and order with Commissioner Carter dissenting. The opinions were filed in this case on October 16, 1935, but no order was entered until November 20, 1935.

On May 5, 1936, Tamiami Trail Tours, Inc., filed its application for rehearing and reargument, and upon consideration the Railroad Commission entered its Order No. 861 denying rehearing and reargument on May 7, 1936.

Tamiami Trail Tours on November 15, 1936, filed its petition for certiorari seeking to quash the orders of the Railroad Commission.

Intervention on the part of Florida Motor Lines, Inc., Gulf Crescent Motor Lines, Gulf Coast Motor Lines, Union Bus Company, Receivers of Seaboard Air Line Railway and At-

lantic Coast Line Railroad in this proceeding have been allowed by the Court.

On March 11, 1937 the Court entered its opinion and awarded a Writ of Certiorari and quashed the order of the Railroad Commission. The Court held:

(1) That petitioner had met the burden resting upon it as a basis for having issued a Certificate where Commission found that part of the territory was suffering to some extent from lack of through transportation facilities and such service would be of great convenience to that part of the public.

(2) Certiorari will lie to review an order of the Railroad Commission denying an application for Certificate of Public Convenience and Necessity.

(3) (On rehearing) In Certiorari Supreme Court cannot direct respondent to enter any particular order or judgment but can only deny the writ or quash the order reviewed, and where order is quashed leave the proceedings as they were before such an order was entered.

This case is reported as *Tamiami Trail Tours, Inc., vs. Railroad Commission*, 174 So. 451.

9. Leonard Brothers Transfer & Storage Company, Inc., & John E. Withers Transfer & Storage Company, Inc., Relators vs. Florida Railroad Commission, Respondents. Supreme Court of Florida.

On January 15, 1937 Alternative Writ of Mandamus was issued out of the Supreme Court of Florida to require the Railroad Commission to deny and dismiss application filed by Railway Express Agency for a "For Hire" permit. A temporary permit had been granted on application of Railway Express Agency authorizing it to transport race horses between Tropical Park Race Track and Hialeah Race Track in the County of Dade, Florida. The Commission then held a hearing upon the protest of relators to determine the nature of the operation, whether the same was for hire carriage or if it could be classified as common carriage or contract carriage, and also to determine what restrictions, if any, it should place in such permit for the safety and conservation thereof, and the protection and preservation of transportation as a whole in the territory involved. After the Commission had the hearing and before it had announced its decision this mandamus proceeding was brought.

On February 26, 1937 the Court entered its opinion in the cause and quashed the Alternative Writ of Mandamus holding that the Railroad Commission has power to tentatively grant an application for a for hire permit and thereafter to conduct an inquiry to determine whether the same is proper and should be allowed to remain in force.

The Court also held that mandamus cannot be used to coerce a particular decision by the Railroad Commission on a matter within its jurisdiction where the Commission has the cause under advisement.

This case is reported as Leonard Brothers Transfer & Storage Company vs. Carter et al, 172 So. 924.

10. Acme Freight Lines, Inc., et al., vs. Railroad Commission and State Road Department. Federal Court—Southern District of Florida. Injunction.

On January 15, 1937, Acme Freight Lines, Inc., Blue's Truck Line, Inc., Central Truck Lines, Inc., Goodall Brothers Truck Line, Great Southern Trucking Company, Holstun & Son, Wm. F. Pendleton, K. & L. Transportation Company and Florida Highway Express filed their bill of complaint to enjoin the members of the Railroad Commission and of the State Road Department from enforcing the motor truck weight limitation on trucks operating in interstate commerce only.

The Railroad Commission and the State Road Department filed answer to this complaint on January 29, 1937, and a hearing on the application for temporary restraining order before the Judge of the Southern District of Florida was had in Jacksonville.

On February 10, 1937, the Federal Court entered an order denying temporary restraining order and set this cause down for hearing before a statutory Three Judge Court in New Orleans, Louisiana, on February 19, 1937. Hearing was had before the Three Judge Court and the matter was argued by counsel for the complainants and defendants, and the Court entered an order denying the interlocutory injunction.

This cause is still pending on final hearing.

11. Central Truck Lines, Inc., vs. Railroad Commission and Seaboard Air Line Railway Company. Certiorari. Supreme Court of Florida.

On March 15, 1937 the Seaboard Air Line Railway through its receivers applied to the Railroad Commission for a Cer-

tificate of Public Convenience and Necessity to operate motor vehicles between its stations only transporting freight and express brought to its stations for transportation by steam railroad between Jacksonville and Live Oak, Florida, over State Road No. 1, U. S. Highway No. 90. While this application was pending, and before hearing, the legislature of the State of Florida on June 4, 1937 adopted Chapter 18027, Acts of 1937. Thereupon the Seaboard Air Line Railway filed an amended application setting up said Act and moved the Commission to grant its application to operate motor vehicles in the transportation of freight, express and United States mail in intrastate commerce between Jacksonville and Live Oak over State Road No. 1 as a matter of right and without a hearing. This amended application was considered by the Railroad Commission and was substituted for original application, and the authority asked therein was granted by Order No. 1025.

On August 13, 1937 Central Truck Lines, Inc., moved the Commission to permit it to intervene for the purpose of moving to vacate Order No. 1025. The motion to intervene was granted but the motion to vacate and set aside order was denied. Thereupon Central Truck Lines, Inc., filed its petition for Writ of Certiorari in the Supreme Court of Florida praying that Order No. 1025 be reviewed, adjudicated to be void and quashed.

This matter has been fully briefed and argued but no opinion has as yet been entered.

12. P. T. Malone, Doing Business as P. T. Malone Horse Pullman Service vs. Florida Railroad Commission. Circuit Court, Dade County, and Supreme Court of Florida. Injunction.

On March 10, 1937 the Railroad Commission issued its Order denying the application of P. T. Malone, doing Business as P. T. Malone Horse Pullman Service for a permit to transport race horses between the Hialeah and Tropical Park's Race Tracks in Dade County, Florida, and ordering P. T. Malone to cease his operations under the temporary permit granted by the Commission on December 10, 1936. (See Leonard Brothers vs. Railroad Commission, above) The Commission held that the operation was one of Common Carriage and not the proper subject for a permit; the order was without prejudice to the filing of a proper application for a Certificate of Public Convenience and Necessity.

On March 15, 1937, P. T. Malone filed his Bill of Complaint in the Circuit Court of Dade County, Florida, seeking an injunction against interference by the Railroad Commission with his hauling of race horses on the ground that the points between which the horses were hauled are within the provision in Section 30, Chapter 14764, Acts of 1931, which exempts operations "within the corporate limits of any City or Town or the adjoining suburban territory, or between Cities and Towns whose boundaries adjoin".

On the same day, March 15, a preliminary injunction was entered as prayed in the Bill.

On March 18, Leonard Brothers Transfer and Storage Company, Inc., and John E. Withers Transfer and Storage Company, Inc., both of Miami filed their petition for intervention and motion to dismiss the Bill, alleging their interest in the suit by virtue of their business as Carriers of race horses between the two race tracks. On the same date, March 18, the Circuit Court allowed the intervention, and entered an order dissolving the preliminary injunction and dismissing the Bill of Complaint.

Notice of Appeal was promptly filed by the plaintiff, and upon the motion of the plaintiff an Order of Supersedeas was signed by Justice Terrell. A motion by the Intervenor to vacate the Supersedeas was denied by the Supreme Court, and on March 29 the Intervenor moved for an early hearing.

While the Appeal was being perfected, on July 2, 1937, the Intervenor filed Motion to Dismiss the Appeal and a Brief thereon alleging that since the entry of their appeal the Legislature had passed Chapter 18028, Acts of 1937, and Chapter 18029, Acts of 1937, both of which amended Section 30 of Chapter 14764, Acts of 1931, by providing that the transportation of race horses and polo ponies should not be exempt unless conducted entirely within the corporate limits of the same City or Town. This question was briefed by the Appellant and the Intervenor and on July 21, 1937, the Court denied the Motion to Dismiss the Appeal.

Pending the outcome of the Motion to Dismiss, the Railroad Commission withheld the filing of its brief on the merits of the Appeal until August 5, 1937; whereupon the Appellant moved to strike the brief as not being filed within the time provided by the rules of the Court. This motion was replied to by the Commission, and on August 31 the Court denied the motion to strike the brief of the Commission. This case

has not been set for argument, and is pending before the Supreme Court.

13. Alice Rogers vs. A. W. Lee, Doing Business as Lee's Coach Line, and Florida Railroad Commission. Suit in Equity, Federal District Court, Northern District of Florida.

This suit was instituted in May, 1937, in the Federal District Court at Marianna, Florida, by a Judgement Creditor of A. W. Lee who does business as Lee's Coach Line and holds a Certificate of Public Convenience and Necessity from the Florida Railroad Commission to carry passengers between Tallahassee and Panama City, Florida over State Road No. 10. The object of the suit is to subject the property of A. W. Lee, including the Coach Line to the payment of two judgments against Lee which were entered in Alabama, and to this end secure the appointment of a receiver.

On May 30, the Railroad Commission filed its answer alleging its interest in the suit by virtue of its jurisdiction over Lee's Coach Line and requesting that it be allowed to advise the Court in the appointment of any receiver for Lee's Coach Line or in any disposition that might be made of Lee's Coach Line in the suit.

No further steps involving the Railroad Commission have been taken, and the matter is now pending before the District Court.

14. State ex rel Chester Fohl vs. Frank Karel, as Sheriff of Orange County, Florida. Supreme Court of Florida, Original Proceeding in Habeas Corpus.

On February 12, 1937, one Chester Fohl was arrested by an Inspector for the Railroad Commission while transporting into Orlando, Florida, from Pennsylvania, a truck-load of crates, wrapping paper, and other citrus supplies. He was charged with transporting these products for compensation without authority from the Railroad Commission.

At a preliminary hearing held June 4, 1937 before a Justice of the Peace in Orange County, the Defendant was bound over for trial before the Criminal Court on a state of facts agreed to by his counsel and by counsel for the Railroad Commission. According to these facts the truck operated by the Defendant was owned jointly by Walter Howe, a citrus fruit broker, and Rice Trew & Rice Co., Inc., a manufacturer and seller of citrus supplies, both of Pennsylvania. The truck was jointly operated by these two merchants, used solely to

transport their products, and the Defendant was paid and the expenses of operating the truck were paid out of a common operating fund to which both parties contributed in proportion to the use of the truck in transporting their products respectively.

On June 28, the Defendant petitioned the Supreme Court for a writ of Habeas Corpus and the writ was issued by Justice Ellis. The suit was brought as a test case to determine whether or not the Railroad Commission has jurisdiction over what was agreed to be a bona fide joint ownership and joint operation of a truck.

The Sheriff's return to the writ was duly filed alleging that the Defendant was held under the warrant of arrest and the commitment containing the agreed facts. Briefs were filed and oral argument was held before the entire Court on July 20, 1937. On October 28, 1937, the Court rendered its opinion remanding the petitioner for trial. The Court was divided three and three.

A motion for re-hearing was filed by the Petitioner: A rehearing was ordered by the Court, the case was briefed again at length by both parties and re-argued before the entire Court on February 8, 1938. No decision has been handed down on the re-hearing and the case is still pending before the Supreme Court.

15. E. M. Fry vs. Florida Railroad Commission. Circuit Court, Marion County and Supreme Court of Florida. Injunction.

E. M. Fry on June 11, 1937 filed his Bill of Complaint against John L. Travis, the Inspector of the Railroad Commission located at Ocala, Florida, and against the members of the Commission to restrain any interference over the hauling by Fry of power transformers belonging to the Florida Power Corporation. Several days previous to the filing of the Bill, Fry had been arrested by the Inspector for the Commission for transporting from a point near Brooksville, Florida, to Ocala, Florida a transformer for the Florida Power Corporation without any authority from the Railroad Commission to haul for compensation.

The Bill of Complaint was brought on the theory that the Railroad Commission has no jurisdiction over hauling that is only incidental to other labor performed for the owner of the goods hauled. Many facts were alleged to show that the principle labor performed by Fry on the occasion of his arrest was that of unhooking the transformer from its station

on the power line and loading it on the truck for transportation and that Fry performs other work of a similar nature for the Florida Power Corporation, each job being performed under separate contract.

A restraining Order was issued by the Circuit Court and on June 26 the Railroad Commission filed its answer, a motion to dismiss, and a motion to dissolve the injunction. After a hearing on the motion to dismiss the Circuit Court denied the same and on July 28, 1937, a final hearing on the merits was held and testimony was taken before the Circuit Judge. The testimony substantiated the allegations of the Bill and showed that while compensation was received by Fry for the hauling done it was only a minor part of the total amount received under the contract which included the hauling. A final decree was entered August 4, enjoining and restraining the Commission from interfering with the hauling by Fry of power transformers belonging to the Florida Power Corporation so long as such hauling was a part of and incidental to contracts for services which included working other than hauling.

The Commission filed Notice of Appeal assigning as errors the entry of the permanent injunction and the failure of the Circuit Court to dismiss the Bill of Complaint. The Appeal has been perfected, briefs have been filed by both parties, and the case is now pending before the Supreme Court.

16. J. H. Wimberly, Trading and Doing Business as Wimberly Transfer Company, vs. Florida Railroad Commission. Circuit Court, Duval County, Florida. Injunction.

On June 26, 1937, J. H. Wimberly doing business as Wimberly Transfer Company filed his Bill of Complaint in the Circuit Court for Duval County, Florida, against the members of the Railroad Commission and its Inspectors seeking an injunction to restrain interference with the operation of his motor trucks in hauling for compensation in interstate commerce between points in Georgia and into Jacksonville, Florida. Plaintiff alleged that he was engaged in interstate commerce prior to June 1, 1935, had filed a proper application for a Certificate of Public Convenience and Necessity before the Interstate Commerce Commission, and was entitled to "Grandfather" rights under the Federal Motor Carrier Act of 1935; and that, therefore, he was entitled to operate as a matter of right in Florida until such time as his rights under the Federal Motor Carrier Act could be determined by the Interstate Commerce Commission.

A Preliminary Restraining Order was entered upon the filing of the Bill, enjoining and restraining the members of the Railroad Commission and their Inspectors from interfering with the operations of the Plaintiff so long as the same were conducted exclusively in interstate commerce and not in conflict with the tax laws of the State of Florida or the laws with respect to the length, width, size, and weight of motor vehicles.

On July 2, 1937, the Railroad Commission filed its Motion to Dismiss the Bill, Motion to dissolve the Injunction, and its answer alleging that the Plaintiff was not entitled to "Grandfather" rights under the Federal Motor Carrier Act because it was not in bona fide operation on or before June 1, 1935, since it had never made application to or received from the Florida Railroad Commission any authority to engage in interstate commerce over the highways of this State and any operations that the Plaintiff had conducted prior to said date were in violation of the Laws of the State of Florida.

After hearing and argument by Counsel on July 24, the Circuit Judge entered an Injunction against the Florida Railroad Commission, holding that the alleged "Grandfather" rights of the Plaintiff were entitled to be protected until finally determined by the Interstate Commerce Commission.

No further proceedings have been had in this case and the same is pending the final outcome of the Interstate Commerce Commission Application of the Plaintiff.

The foregoing is a brief resume of the more important cases participated in and handled by your counsel before the Interstate Commerce Commission and the law Courts. This report gives no consideration to the many hearings before the Commission which counsel attend, nor to the volume of correspondence incident to their duties, nor to the number of opinions they are called upon to render and to write upon various phases of the regulatory law.

For the convenience of the Commission, and of those who appear before it in various cases an appendix is attached hereto listing the more important cases in which the motor vehicle statute has been construed by the Courts with a short statement of the holding of the Courts in each case.

Respectfully submitted,

THEO. T. TURNBULL,
Counsel.

WM. P. SIMMONS, JR.,
Assistant Counsel.

APPENDIX

Decisions Interpreting Florida Motor Transportation Laws. **Cahoon vs. Smith**, 99 Fla. 1174; 128 So. 632. Decided May 21, 1930.

Smith, the owner and operator of two motor vehicles used to transport goods under private contract for compensation on the public highways between fixed termini and over regular routes, was arrested for failure to apply for and secure a Certificate of Public Convenience and Necessity and conform to the other requirements of Chapter 13,700, Acts of 1929. He brought habeas corpus and the Circuit Court for Duval County held the Act unconstitutional as applied to such carriers. This was reversed on appeal, the Supreme Court holding:

1. Chapter 13,700 Acts of 1929, not invalid as to title.

2. The mileage tax imposed, not invalid because a "toll" for the use of public highways, but is a valid "license" upon the business of transporting for compensation. (Sec. 14. Ch. 13700, Acts of 1929.)

3. The exemptions in the Act are not arbitrary, unreasonable, or unlawfully discriminatory. (Id. Sec. 1.)

4. The Act does not require private carriers to assume common carrier functions and liabilities, the provisions applicable to private carriers for compensation are separable. (Id.)

(This case reversed by the Supreme Court of the United States. See **Smith vs. Cahoon** below.)

Smith vs. Cahoon, 283 U. S. 555; 75 L. Ed. 1264. Decided May 25, 1931.

Appeal from the decision of the Supreme Court of Florida in the case of **Cahoon vs. Smith**, 99 Fla. 1174, 128 So. 632, which upheld the constitutionality of Chapter 13,700, Laws of Florida, Acts of 1929, as applied to private contract carriers for compensation. **HELD**: Florida Supreme Court reversed; statute invalid as to applicant:

1. The statute purports to require such private carriers to assume the duties and liabilities of common carriers, there being no distinction between the two on the face of this statute and the imposition of

such obligations on private carriers being beyond the power of the State. (Ch. 13,700, Acts of 1929.)

2. The statute is void for uncertainty because not expressly distinguishing the provisions legally applicable to private carriers from those applicable to common carriers. (Id.)

3. The Act is void because of discrimination in favor of certain private carriers who are exempted, (as against others engaged in like transportation) the classification not being based on anything related to public safety on the highway. (Id.)

Florida Motor Lines vs. Railroad Commissioners, 100 Fla. 538; 129 So. 876. Decided August 4, 1930.

After hearing, Commission granted Georgia-Florida Motor Lines authority to substitute four 25-passenger busses for the five 7-passenger sedans it had been operating under its "grandfather" certificate. Florida Motor Lines objected on the ground that it was operating in the territory involved (Jacksonville to Miami) and was allowed under its certificate sufficient equipment to take care of twice the number of passengers using bus service, and no public convenience and necessity had been shown by applicant. Relief is sought by certiorari.

HELD: Order of Commission quashed:

1. Under Chapter 13,700, Acts of 1929, application for substitution of busses as here was in nature of application for new service, and others already rendering similar service should be considered, and the law contemplates consideration of their rights and privileges where they will be materially injured. Commission did not give due consideration to the statutory privileges of petitioner or to the rights of the public to exclude unnecessary vehicles from operating for hire over the highways. (Sec. 3, Ch. 13,700, Acts of 1929.)

2. Writ of certiorari is proper method of appeal from quasijudicial or judicial orders of Railroad Commission, the ultimate adjudication being to quash the judgment or order reviewed or to quash the writ of certiorari.

3. Administrative, ministerial and judicial functions of Railroad Commission upheld as constitutional and not being among those "powers of government" which must be separately administered by the three main departments.

Seaboard Air Line Railway Company vs. Wells, 100 Fla. 1027, 130 So. 587. Decided October 28, 1930.

Commission granted Union Bus Company authority to inaugurate night schedule between Jacksonville and Marianna without considering the effect on existing rail service. The Railway company brings certiorari.

HELD: Order of Commission quashed because due consideration not given to existing rail service.

1. The provision in Chapter 13,700, Acts of 1929, providing that in granting an application for a certificate the Commission "may take into consideration" certain elements including the effect it may have "upon other transportation facilities within the territory" means such consideration **MUST** be given since the proceedings are for the public benefit, and rail service is among the facilities to be considered. (Sec. 3, Ch. 13,700, Acts of 1929.)

2. The word "necessity" as used in the statute does not mean an absolute and indispensable necessity, but one reasonably necessary to meet the public needs. Public convenience and necessity must to a large extent depends on facts of each case. (Id. Sec. 2.)

3. Certiorari is the proper remedy (Citing Fla. Motor Lines vs. Railroad Commissioners, 100 Fla. 538; 129 So. 876.)

In re Edwards, 100 Fla. 989; 130 So. 615. Decided October 22, 1930.

About a year after April 19, 1929 ("Grandfather date" in Chapter 13,700, Acts of 1929) Edwards applied for and was denied by the Commission a certificate, claimed as a matter of right, to operate a truck service between Haines City and Orlando. On certiorari to review Commission order.

HELD: Certiorari denied:

1. "Grandfather" privilege was not exercised within a reasonable time. (Sec. 3, Ch. 13,700, Acts of 1929.)

2. Petition for Writ of Certiorari must set forth the substance of the evidence if it is to be relied upon in any way to show the invalidity of a Commission order based upon it—mere setting forth the order with the statement that it was unsupported by the evidence is insufficient, being a conclusion of the pleader.

Seaboard Air Line Railway Company vs. Wells, 100 Fla. 1631; 131 So. 777. (Known as the Pace Case). Decided January 8, 1931.

Upon application and hearing under Chapter 13,700, Acts of 1929, H. T. Pace was granted by Railroad Commission a certificate of public convenience and necessity to operate a truck service between Jacksonville and Tallahassee. The Commission did not consider the effect on existing rail carriers and whether they could furnish any additional service needed. The Seaboard brings certiorari to quash the order of the Commission.

HELD: Commission order quashed:

1. Commission did not proceed in accordance with the essential requirements of the law in refusing to consider the existing rail and express service. (Sec. 3, Ch. 13,700, Acts of 1929.)

2. "There was no evidence showing that there was any real public necessity for its (applicant's) operation, when the service afforded by the railway and express companies is taken into consideration." (Id. Sec. 2.)

Florida Motor Lines vs. State Railroad Commission, 101 Fla. 1018; 132 So. 851. Decided March 3, 1931.

(See previous case between same parties, 100 Fla. 538; 129 So. 876.)

The Commission granted Georgia-Florida Motor Lines authority to substitute 24-passenger busses for 7-passenger sedans on their run from Jacksonville to Miami on ground of public safety, comfort and convenience. The order granted protestant Florida Motor Lines a similar privilege upon proper showing being made. The latter brings certiorari to quash the order of the Commission on the ground that it was an existing carrier over the route that it had not failed to provide facilities satisfactory to the Commission and that there was no necessity for further passenger facilities over the route.

HELD: Certiorari denied:

1. Under Chapter 13,700, Acts of 1929, if there is substantial competent evidence legally sufficient to support the findings of the Commission, and no rule of law was violated, and the whole records does not show an abuse of authority or arbitrary action, the Commission order will not be set aside on certiorari.

2. Proof of public convenience and necessity as would support a new operation is not necessary to permit an existing certificate holder to improve its service by changing its type of equipment even over a route served by other carriers. (Sec. 3, Ch. 13,700, Acts of 1929.)

3. Order denies no right of Florida Motor Lines secured to it by statutes especially as here where the schedule of the two carriers are different and they operate from different termini. (Id.)

4. Railroad Commissioners are statutory officers and can exercise only such authority and functions as are expressly or impliedly provided for in statutes.

5. "The state may forbid the use of its highways in the business of transportation for hire even in interstate commerce, if no unjust discrimination is thereby perpetrated and federal instrumentalities are not hindered."

6. In absence of federal regulations, number, nature, size, weight and operation of vehicle used for hire on public highways may be regulated even as to interstate commerce, where such commerce is not discriminated against or unduly burdened. (Sec. 3, Ch. 13,700, Acts of 1929.)

Alkazin vs. Wells, 47 (2d) 904. Decided 1931.

Application for interlocutory injunction before a three-judge Federal District Court against the Florida Railroad Commission to restrain the enforcement against applicant of the provisions of Chapter 13,700, Acts of 1929, the contention being that since applicant was engaged exclusively in the interstate transportation of passengers, that such Act as to him is violative of the commerce clause of the United States Constitution of the fourteenth amendment to that Constitution and of the Federal Aid Act and the Federal Highway Act.

HELD: Interlocutory injunction denied:

1. State may require interstate motor carrier to obtain certificate of convenience and necessity as prerequisite of use of public highways, the same is grantable on application as matter of course. (Sec. 2, Ch. 13,700, Acts of 1929.)

2. State regulations enforceable against interstate carrier:

a. Payment of reasonable, nondiscriminatory mileage tax. (Id. Sec. 14.)

- b. Reasonable regulations for protection of safety and comfort of passengers. (Id. Sec. 5.)
- c. Bond or insurance for protection of persons, other than passengers, who sustain injury due to carrier's negligence. (Id. Sec. 4.)
- d. Others which are not named.

Tyson vs. Stoutamire, 104 Fla. 505; 140 So. 454. Decided March 21, 1932.

Tyson was arrested for transporting, but not for compensation within the terms of Chapter 14764, in a private motor vehicle a greater gross load than the 16,000 lb. limit prescribed by Section 3 of Chapter 15625, Acts of 1931, the Motor Vehicle Licensing Act. He contends these laws create an unlawful discrimination against him since a certificated vehicle under Chapter 14764 is allowed a greater weight. Relief sought by Habeas Corpus.

HELD: No denial of equal protection of the laws:

1. The legislative classification of public service vehicles as against private ones for the purpose of regulation is valid and reasonable. (Sec. 1, Ch. 14,764, Acts of 1931.)

2. The legislature may impose on carriers for compensation such greater or less burden as its wisdom may dictate. (Id.)

3. Chapters 14764 and 15625 are not in irreconcilable conflict but are *pari materia* and must be construed together since both passed the same session of Legislature, both deal with same general subject and the later provides that nothing therein shall repeal the former. (Purpose and intent of the two Acts stated.) (Id. Sec. 11.)

L. & N. Railway Company vs. Matthews, 104 Fla. 603; 140 So. 469. Decided March 31, 1932.

(See previous case of Seaboard Air Line Railway Company vs. Wells, 100 Fla. 1027; 130 So. 587.)

Certiorari by rail carriers to review Railroad Commission order granting to Union Bus Line a certificate of public convenience and necessity to operate night service between Jacksonville and Marianna.

HELD: Writ quashed.

1. On certiorari, even tho the court might have reached a different conclusion on the evidence, this would not justify substitution of its judgment for that of the Railroad Commission within whose jurisdiction lies the power to decide the question of public convenience and necessity. (Sec. 3, Ch. 14,764, Acts of 1931.)

2. Review of findings and conclusions of Railroad Commission on certiorari is not appellate in its nature, so as to determine whether error was committed as on writ of error or appeal. (Id.)

Riley vs. Lawson, 106 Fla. 521; 143 So. 619. Decided August 24, 1932.

Riely, a citizen and taxpayer, brought a Bill of Complaint under Section 25, of Chapter 14764, Acts of 1931, to enjoin Lawson from engaging in the business of hauling as a "private contract carrier" as defined in the Act without having secured a certificate or permit from the Railroad Commission. The circuit judge dismissed the bill, holding the Act unconstitutional as applied to private contract carriers.

HELD: Act constitutional.

1. Use of public highways for gain is special and extraordinary, is not a right but a privilege even as to private contract carriers, and may be prohibited entirely by the Legislature which may permit such use on certain conditions and under certain regulations.

2. Two principles under which state may regulate the use of public highways for gain are:

- a. Nature of the business—hauling for compensation.
- b. The right to conserve and protect public highways.

3. While the state may entirely prohibit the use of the highways for gain, there are limitations on its right to condition such use.

- a. It may not exact as a condition the surrender of any right guaranteed by the federal constitution.
- b. It cannot deny to permittees of the same class the equal protection of the laws. This rule does not limit wide discretion in classifying under the police power, presumption being that such legislation is valid when any conditions are present

which will warrant the classification made. Under this rule motor vehicles may be treated as a special class.

4. Private contract carriers may be separately classified and dealt with as distinguished from common carriers, and such private carriers who operate in continuous and recurring carriage may be regulated separately from those whose operations are ordinary or casual. (Long discussion of the three classifications in the Act.) (Secs. 3, 4, 5, Ch. 14764, Acts of 1931.)

5. Construed as a whole the Act contemplates that private contract carriers be granted certificates as a matter of course, no public necessity or demand required to be shown, but consideration must be given to existing facilities and whether the proposed use of the highways would be an inordinate one. (Id. Secs. 4 and 5.)

6. The Act does not impair the right to contract—"the rule is that, if the power exists to accomplish the regulation attempted, such interference with the right to contract is justified as an aid to its exercise." (Id. Sec. 4.)

7. Since the Act on its face specifically sets forth the portions applicable to private contract carriers, such a carrier can be protected by appropriate judicial proceedings from enforcement against him of inapplicable provisions. (Id. Secs. 4 and 28.)

Dickinson vs. Cahoon, 107 Fla. 155; So. 345. Decided October 24, 1932.

Attack by habeas corpus on the right to enforce the general 16,000 lb. gross vehicle weight limit prescribed by the Motor Vehicle Licensing Act as against certificated carriers under Chapter 14764, Acts of 1931.

HELD:

1. "Chapter 14764, as a regulatory Act, is complete in itself. Without reference to any other statute in this state, this special Act dealing with certificated motor vehicles, contains within its four corners all the principles of regulation and supervision which are to be applied to those certificated vehicles falling within its purview."

2. The motor vehicle law (now Chapter 15625, Acts of 1931) is principally a licensing and taxing measure intended

for motor vehicles generally, but Chapter 14764, being a separate classification of particular vehicles used for hire, rendered inapplicable as to such vehicles the regulation as to weight, speed, etc., in the licensing Act. (Secs. 11, 12, 13, Ch. 14764, Acts of 1931.)

3. The legal effect of the last paragraph in Section 11 of Chapter 14764 is to limit the combined weight and load of all vehicles operating under that Act to 24,000 lbs. (Id. Sec. 11.)

4. The Railroad Commission may be "some special regulation—within the scope of its power to make reasonable rules and regulations applicable to any and all transportation companies," restrict the weight limit of vehicles under its jurisdiction to less than 24,000 lbs. (Id. Sec. 11.)

Central Truck Lines vs. Railroad Commission, 109 Fla. 395; 147 So. 590. Decided April 13, 1933.

Strickland Transfer Company, a certificated operator between Orlando and Tampa, having purchased under authority from the Commission the certificate rights of Merchants Transfer Company, which operated between Orlando and Daytona Beach, applied for and received the approval of the Railroad Commission to change its combined schedule from Daytona Beach to Tampa, so as to provide an expedited service. Central Truck Lines brings certiorari to quash the order of the Commission contending the new schedule creates a new service for which there is no necessity if rights of existing carriers, who already operate thru schedules and are able and willing to furnish any additional service, as considered.

HELD: Writ of certiorari quashed:

1. Commission may grant improved schedule to carrier without considering effect on competing carriers, this not being the granting of a new service. (Sec. 3, Ch. 14,764, Acts of 1931.)

2. Findings and conclusions of the Commission will not be set aside on certiorari where there was substantial competent evidence to sustain them and no rule of law was violated and the record discloses no abuse of authority or arbitrary action. (After discussion of the evidence). (Id. Sec. 3.)

3. Under Chapter 14764, Commission must consider effect on competing lines only:

- a. When new certificate is sought.
 - b. When approval is sought for transfer of certificate (Id. Secs. 3 and 4.)
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Merchants Mututal Association vs. Matthews, 110 Fla. 325; 149 So. 27. Decided May 30, 1933.

Appellant is a co-operative association organized for the express purpose of transporting at actual cost the goods of its stockholders only, and seeks an injunction (denied by the Circuit Judge) to restrain any interference with its operations by the Railroad Commission.

HELD: Injunction denied:

1. The organization is a private contract carrier because it contracts with its stockholders and hauls for them for compensation, and is therefore under the jurisdiction of the Railroad Commission. (Secs. 1 and 4, Ch. 14,764, Acts of 1931.)

Matthews vs. State ex. rel. St. Andrews Bay Transportation Company, 111 Fla. 587; 149 So. 648. Decided August 2, 1933.

The Commission denied application of Union Bus Company to extend its interstate bus operations from Marianna, Florida, to Dothan, Alabama, on ground that application did not appear to be exclusively interstate. Applicant then amended its application to show that proposed service would be entirely interstate. The St. Andrews Bay Company obtained a writ of prohibition against the Commission prohibiting further proceedings on the amended application on the ground that Section 3 of Chapter 14764 prohibited the Commission from considering same within six months from date of the denial of the original application.

HELD: Reversed.

1. Section 3 of Chapter 14764 cannot bar from consideration an application for a purely interstate operation merely because of the denial of one for intrastate rights. (Sec. 3 of Ch. 14,764, Acts of 1931.)

2. Commission orders under Chapter 14764 are not res adjudicata, but Commission has inherent power to grant rehearings and modify previous orders. (Id.)

3. Commission may be required to comply with Section 3 of Chapter 14764 by appropriate processes directed by Circuit Court (Prohibition used here) when invoked by proper party. (Id. Sec. 3.)

Leonard vs. Sweat, 114 Fla. 60; 152 So. 857. Decided February 21, 1934.

Habeas corpus to test right of common carrier by motor truck to transport a gross load in excess of the 18,000 lbs. limit prescribed by Chapter 16085, Acts of 1933, (the Motor Vehicle Licensing Law).

HELD: (On authority of Dickinson vs. Cahoon, 107 Fla. 155; 144 So. 345.)

1. Railroad Commission may issue authority under Chapter 14764, to transport a gross weight of 24,000 lbs., Chapter 16085 in no way repealing Chapter 14764, and Chapter 16085 being merely an amendment to Chapter 15625, Acts of 1931, which was held in Dickinson vs. Cahoon, supra, to be inapplicable so far as weights are concerned to vehicles under the jurisdiction of the Railroad Commission. (Sec. 11, Ch. 14,764, Acts of 1931.)

(Mr. Justice Davis concurs on ground that the Attorney General, the Railroad Commission and the Motor Vehicle Commissioner have all concurred in a construction of the uncertain weight provisions of Chapter 16085 in favor of petitioner's contentions, so that criminal liability under such act must be resolved in favor of accused).

Coleman vs. Achim, 114 Fla. 89; 153 So. 96. (Share Expense Case.) Decided February 27, 1934.

Habeas corpus to test the right to operate without authority from the Railroad Commission of the owner of a private vehicle who on only one occasion transported for compensation four people from Miami to Hemp, North Carolina.

HELD: Whether defendant violated law depends on facts:

1. If auto trip was joint adventure between auto owner and passengers to which it was agreed that payments by pas-

sengers should be contribution to expense of trip, transaction would not come within purview of Chapter 14764. (Sec. 1, Ch. 14,764, Acts of 1931.)

2. If auto owner holds himself and his auto out to individuals or to public from which these individuals were gathered as being ready, willing and able to transport the persons for a fixed fee as his compensation, he would be a private contract carrier within the statute requiring a certificate of public convenience and necessity. (Id. Secs. 1 and 4.)

In re Grubb, 116 Fla. 387, 156 So. 482. Decided September 7, 1934.

Original mandamus proceeding to compel the Railroad Commission to issue "for hire" permit, under the terms of Chapter 14764, Laws of 1931, bringing for review before the Court only the Commission's order of denial.

HELD: Writ denied:

1. The Railroad Commission must hold a hearing and investigate and make findings to determine the nature and scope of a proposed "For Hire" operation before issuing a permit where the application suggests some special inquiry. (Sec. 4, Ch. 14,764, Acts of 1931.)

2. Petition for alternative writ of mandamus to require the Railroad Commission to issue a "for hire" permit to a carrier denied such a permit should disclose the entire record of proceedings, unless the order denying the permit is shown to be illegal or unauthorized on its face. (Id.)

3. Certiorari, not mandamus, is the proper remedy for a carrier denied a "for hire" permit by the Railroad Commission after an adversary hearing at which third parties appeared and protested. (The Court does not say that mandamus may not be used in any case of this nature). (Id.)

Rogers vs. Cunningham, 117 Fla. 760; 158 So. 430. Decided December 28, 1934.

Rogers was charged with operating on the public highways of Pinellas County "one truck and trailer combined (semi-trailer) which weight did exceed the state law." The evidence taken before the committing magistrate showed that

the vehicle driven by Rogers was a four-wheel truck which had no provision for carrying a load independently, and to which was coupled in the manner of a semi-trailer, a four-wheel trailer whose wheels were placed so that the front end of the unit would drop to the surface of the road if the unit were detached from the truck. This is an original proceeding in habeas corpus and the Supreme Court stated: "All parties seem to desire an opinion from this Court as to whether a truck and trailer such as Rogers drove is within the provisions of the law limiting the weight to be carried by a semi-trailer."

HELD: Petitioner discharged from custody:

1. The combination vehicle is not a truck and semi-trailer as contended by the state, but is a "four-wheel vehicle attached to or to be drawn by a truck" which "counsel for state in the brief seemingly admit..... if..... properly equipped..... is entitled to a gross load of 34,000 pounds." (Sec. 3, Ch. Acts of 1933.)

2. Statute regulating weight of load of trucks and trailers being criminal statute should be strictly construed and for accused to be held for trial the charge must plainly and unmistakeable show him to come within its prohibitions. (Id.)

NOTE: No where in this opinion did the Supreme Court hold that a private carrier was entitled to transport upon a vehicle of the character described in the opinion, a gross load of 34,000 pounds.

Central Truck Lines vs. Railroad Commission, 118 Fla. 526; 160 So. 22. Decided February 28, 1935.

The Railroad Commission granted the Seaboard Air Line Railway Company a certificate of public convenience and necessity to operate a common carrier truck service between Tampa and Brooksville and between Waldo and Morriston, but only as a purely substituted service in order to affect a saving in transportation costs, and conditioned upon the resumption of rail service as soon as business warrants it. Central Truck Lines, who also serve this territory bring certiorari contending the Commission could not grant such authority without such proof of public convenience and necessity as would be required of an independent motor carrier.

HELD: Certiorari denied:

1. Section 27 of Chapter 14764, and Section 6703 C. G. L. contain authority for Railroad Commission in its co-ordinated supervision and regulation of both rail and motor carrier to grant a limited certificate of public convenience and necessity confined to a mere commutation of rail into motor carrier service where there is no grant of general or permanent authority to perform motor vehicle service on the highways, and without such showing of public convenience and necessity as would be necessary for a new service. (Sec. 27, Ch. 14,764, Acts of 1931, and Sec. 6703, C. G. L. 1927.)

2. Statutes regulating rail and motor carriers are in contemplation of law *pari materia*, and have for their object appropriate regulation of both in their relation to each other and to the transportation needs of commerce in the state. (Id.)

3. "Public convenience and necessity" has not been defined by the lawmakers, and each case must be decided on its own facts weighed in the light of the declared legislative purpose. (Sec. 3, Ch. 14,764, Acts of 1931.)

4. Railroad Commission orders granting or refusing permits of public convenience and necessity, although arrived at in a quasi-judicial form of procedure, are legislative in character and must be sustained, unless clearly invalid because of: (a) misapprehension of law or facts, (b) *ultra vires*, (c) infringement of complaining party's legal rights, (d) contrary to some essential requirement of the law. (Id. Secs. 3 and 4.)

**Central Truck Lines vs. Railroad Commission, 118 Fla. 555;
160 So. 26. Decided March 1, 1935.**

The St. Johns River Line Company, operating both river boat and truck service, purchased the McLeod Lines which operated trucks between Orlando and Tampa. The Commission in approving the transfer of the certificate rights of McLeod Lines authorized an additional through schedule for St. Johns River Line between Tampa and Sanford. All other carriers objected on the ground that this created an entirely new operation and permitted depressed water-truck freight rates into the Tampa trade territory, all without the required showing of public convenience and necessity and the consideration of existing facilities.

HELD: Order of Commission quashed on Certiorari:

1. Railroad Commission orders regulating the use of the highways by motor transportation companies must, like a statute, be tested by their practical operation and effect rather than by their form. (Ch. 14,764, Acts of 1931.)

2. Motor vehicle rights under certificates separately granted cannot be lawfully combined for the establishment of a through service without first obtaining from the Railroad Commission a certificate of convenience and necessity. Chapter 14764, Acts of 1931, contemplates no prejudicial alteration in established relationships unless justified by public convenience and necessity. (Id. Sec. 3.)

3. The purpose of a certificate of public convenience and necessity is primarily for public convenience and welfare and not for the advantage and benefit of carriers. (Id. Sec. 3.)

4. Inadequacy of existing service is not necessarily essential to a finding that public convenience and necessity will be served by the linking of existing local services to create a through service. Here the fault was the inclusion in the certificate of a special provision permitting the enjoyment by the St. Johns River Line of rate advantages at the expense of other carriers serving the same territory. (Id. Sec. 3.)

5. The Railroad Commission under the authority given in the Act to include such terms, conditions, and provisions in certificates as it may deem proper in the public interest may not grant special rates, prejudicial to other carriers. (Id. Sec. 3.)

6. Under the terms of the Act auto transportation company includes a carrier operating partly by water and partly by motor vehicle. (Id. Sec. 1.)

Tamiami Trail Tours vs. Railroad Commission of Florida, 120 Fla. 371; 163 So. 1. Decided July 5, 1935.

Coast to Coast System, Inc., the holder of a certificate to transport freight by motor vehicle from Jacksonville to Tampa via Daytona Beach and Kissimmee and from Jacksonville to Miami via Daytona Beach and Melbourne, was granted by the Railroad Commission the right to operate between Kissimmee and Melbourne on a schedule that would expedite by one day its service from Tampa to Miami. No showing of public con-

venience and necessity was attempted and Tamiami Trail Tours, Inc., who holds the certificate rights between Tampa and Miami via Fort Myers and the Tamiami Trail seek to set aside the order of the Commission on certiorari.

HELD: Order of Commission quashed:

1. Railroad Commission orders must be tested by their practical operation and affect rather than by their form. (Ch. 14,764, Acts of 1931.)

2. The order granted is not an administrative schedule change which would be authorized under Section 8 of Chapter 14764, but in effect created a new and different common carrier service between Tampa and Miami for which no showing of public convenience and necessity was made, and none of the essential requirements of the law were followed relative to the granting of a new certificate as set forth in Section 3 of Chapter 14764. (Id. Secs. 3 and 8.)

3. "Every Certificate of Public Convenience and Necessity that the Railroad Commission is authorized to grant under the law is, in most cases in its last analysis, a statutory license to enjoy a protected public monopoly out of whatever motor transportation business is to be derived by the certificate holder out of its servicing the authorized route and terminal points designated in such a certificate when issued." (Id. Sec. 3.)

4. Convenience and necessity in Chapter 14764 refers to that of the public as distinguished from that of the private convenience of a carrier. (Id. Sec. 3.)

**L. & L. Freight Lines, Inc., vs. Douglass, 14 F. Supp. 399.
Decided Nov. 7, 1935.**

Suit to enjoin the Florida Railroad Commission from interfering with the common carrier interstate motor truck operations begun by L. & L. Freight Lines on October 13, 1935, over U. S. Highway No. 19 from the Georgia-Florida state line through Tallahassee to Ocala, Dunnellon and Tampa, and over U. S. Highway No. 90 between Tallahassee and Live Oak. Plaintiff contends that under Subsection (b) of Section 206 of the Federal Motor Carrier Act, 1935, it may inaugurate such purely interstate operation up to the effective date of the Motor Carrier Act and continue such operation for one hundred twenty days without authority from the Interstate Commerce Commission, the I. C. C. by proper

order having postponed the effective date of Section 206 until October 15, 1935.

HELD: Prayer for temporary restraining order denied:

1. A careful inspection of the postponement order of the I. C. C. makes it clear that the taking effect of the provisions of Section 206 was postponed solely for administrative reasons, was for the benefit only of those who could not qualify under the "grandfather" clause as of June 1, 1935, but were in operation on October 1, 1935, and was not intended to enlarge any rights to engage in interstate commerce. (Motor Carrier Act, 1935, Sec. 206; 49 U.S.C.A. Sec. 306.)

Douglass vs. Pan American Bus Lines, 81 F. (2d) 222. Decided December 27, 1935.

The appellee, a bus company desiring to institute a new type of passenger service between New York and Miami and having secured authority from all other states, applied to Florida Railroad Commission for the proper permit and was refused on the ground that, it being an exclusive interstate operation, the passage by Congress of the Motor Carrier Act had deprived the Commission of all jurisdiction over the granting of a certificate to an interstate carrier. The bus company secured an interlocutory injunction from the District judge for Northern District of Florida restraining the Commission from interfering with plaintiff's operation. From this order the defendants appeal.

HELD: Injunction sustained:

1. From such order court reviews only whether there has been abuse of discretion. Under these circumstances this order was an "exercise of discretion" to protect apparent rights of plaintiff. (Motor Carrier Act, 1935, 49 U.S.C.A. Sec. 301-327.)

2. The bill does not attack either a law of Florida or an order of the Commission, so this is no case for a three-judge court.

3. On the showing made before the Commission, the appellee was entitled to a certificate as a matter of right, it being an exclusive interstate carrier. (Secs. 3 and 28, Ch. 14,764, Acts of 1931.)

**McJunkin vs. Railroad Commission, 122 Fla. 402; 165 So. 368.
Decided January 20, 1936.**

The Commission authorized the Seaboard Air Line Railway to operate common carrier bus service between Fernandina and Yulee in lieu of its previous rail service, a purely substitute service from depot to depot until such time as business would permit the resumption of the rail service. McJunkin, who had previously performed this service under contract with the railroad, brings certiorari to quash the order of the Commission on the ground that this is a new service granted without considering public convenience and necessity or the effect on his existing public.

HELD: Certiorari denied:

1. The judgment of the Railroad Commission is proper on authority of *Central Truck Lines vs. Railroad Commission*, 160 So. 22. (Sec. 27, Ch. 14,764, Acts of 1931.)

**Lowe vs. Stoutamire, 123 Fla. 135; 166 So. 310. Decided
February 29, 1936.**

Driver for L. & L. Freight Lines, Inc., was arrested for operating a motor vehicle for hire without authority from Railroad Commission in exclusive interstate commerce and he brings habeas corpus.

HELD: Petitioner lawfully held:

1. Enactment of Motor Carrier Act, 1935, did not suspend or supersede state laws applicable to interests motor carriers but left same to be applied without hindering or burdening regulations of Congress applicable to same subject matter. (Motor Carrier Act, 1935; 49 U.S.C.A. Secs. 301-327.)

2. Motor Carrier Act did not impair Chapter 14764 in so far as it required interstate carriers to register their operation and observe the provisions of the Act capable of being enforced against interstate carriers. (Id.)

3. *Alcazin vs. Wells*, 47 F. (2d) 904, principles still in effect in so far as state regulations do not now conflict with Motor Carrier Act. (Id.)

4. State's proprietary interest in its roads and right to condition their use for their preservation and for public safety and convenience is to be distinguished from right to prescribe equipment for interstate railroads.

Union Bus Company vs. Douglass, 123 Fla. 292; 166 So. 582.
Decided March 19, 1936. Rehearing denied March 23, 1936.

Railroad Commission granted A. J. Redd a certificate of public convenience and necessity to carry passengers between Perry, Branford, Raiford, Macclenny and Jacksonville, but with closed doors between Macclenny and Jacksonville. Union Bus Company brings certiorari to quash the order of the Commission on ground that it was already adequately serving the needs of the public between Macclenny and Jacksonville and is willing and ready to provide any additional service necessary.

HELD: Certiorari denied:

1. Commission may grant new certificate in which a portion of the route is covered by an existing certificate, where the new service is so restricted as to preclude the rendering of competitive service, and where the public convenience and necessity require the duplication of routes to meet the needs of those accommodated by the new service. (Sec. 3, Ch. 14,764, Acts of 1931.)

2. Commission may issue certificates with modifications, and upon such terms and conditions as in its judgment public convenience and necessity may require. (Id.)

State ex rel. R. C. Motor Lines vs. Florida Railroad Commission, 123 Fla. 345; 166 So. 840. Decided March 28, 1936.

Original mandamus proceeding to require the Railroad Commission to grant a certificate of registration to an exclusive interstate private contract carrier by motor vehicle over a certain state highway.

HELD: Peremptory writ granted:

1. The commerce clause of the U. S. constitution ex proprio vigore amounts to a national certificate of public convenience and necessity to carry on interstate commerce and only Congress can limit this right. (Sec. 8, Art. 1, U. S. Constitution.)

2. The certificate of public convenience and necessity as required by the Florida Motor Transportation Act and applied to an exclusive interstate carrier is in effect only a registration of such a carrier's operation, is grantable as a matter of course after opportunity to determine its bona fides, and is only to enable the state to:

- (a) Identify the operation
- (b) Collect the mileage taxes due for the use of the highways
- (c) Enforce police regulations which promote public safety and conservation of the highways. (Secs. 1, 2, 3, 4, 11, 12, 13, 16, Ch. 14,764, Acts of 1931.)

3. The enactment of the Motor Carrier Act, 1935, by Congress did not suspend or supersede the rights of the state as set forth in paragraph 2 above. (49 U.S.C.A. Secs. 301-327.)

4. The power of the Railroad Commission to determine the route to be used by interstate motor carrier is an exercise of the police power to be exerted after authority is granted as a matter of course to use the state highways in commerce, and cannot be exercised so as to unduly burden or control the right to operate. (Secs. 3 and 14, Ch. 14,764, Acts of 1931.)

Lawrence vs. Goddard, 124 Fla. 250; 168 So. 13. Decided May 5, 1936.

Goddard, manager of a U-Drive-It Company, was arrested for renting an automobile to a party who operated it over a public highway of the state, Goddard not having first obtained a permit from the Railroad Commission and complying with Chapter 14764, Acts of 1931.

HELD: Accused discharged on habeas corpus:

1. U-Drive-It concerns neither **operate** their own automobiles nor undertake to transport persons or property as part of their business, hence are not "**carriers**" who "**operate**" motor vehicles within the terms of Section 1 (e) of Chapter 15764. (Sec. 1, Ch. 14,764, Acts of 1931.)

2. The provisions of Chapter 14764 are unadapted for application to a U-Drive-It operation:

- a. Form of bond prescribed by Section 6 is inapplicable. (Id. Sec. 6.)
- b. The speed rule in Section 12 cannot be enforced against one who relinquishes control of his vehicle. (Id. Sec. 12.)
- c. The driver regulations of Section 19 similarly could not be enforced. (Id. Sec. 19.)

University City Transfer Company vs. Florida Railroad Commission, 124 Fla. 308; 168 So. 413. Decided May 18, 1936.

The Commission after notice and hearing, authorized the transfer of a certificate of public convenience and necessity from Brown's Motor Freight Lines, Inc., to Hi-Way Transports, Inc. This is certiorari to review this order brought by two carriers also serving the same territory. The contentions were that the evidence showed it to be the duty of the Commission to revoke the certificate for failure to operate, that therefore there was nothing to transfer, that Hi-Way Transports, Inc., had not shown public convenience and necessity; that the Commission failed to consider: (a) rights and privileges of existing carriers serving the territory; (b) effect on existing facilities in the territory; (c) the interest of the shipping and consignee public.

HELD: Certiorari denied:

1. Where Commission's conclusions are sustained by substantial evidence, they are not reviewable by certiorari.

2. Before certificate can be considered as revoked, there must be formal charge, citation, hearing, and "weighing the probative force of evidence on the merits of the question." (Sec. 10, Ch. 14,764, Acts of 1931.)

3. The certificate not having been revoked, the transferee was under no duty to show existence of public convenience and necessity. (Id. Sec. 3.)

State ex rel. L. & L. Freight Lines, Inc., vs. Douglass, 124 Fla. 579; 169 So. 389. Decided May 13, 1936. Rehearing denied July 19, 1936.

The relator, on October 8, 1935, applied to the Railroad Commission for a certificate of public convenience and necessity to operate a common carrier truck service from Atlanta, Georgia to Tampa, Florida, through Tallahassee, Perry, Ocala and Dunnellon, and also over state highway No. 1, between Marianna and Live Oak through Tallahassee. The Commission declined to take jurisdiction of the application on the ground that its jurisdiction had been superseded by the passage of the Federal Motor Carrier Act, 1935. This was an original mandamus proceeding to require the Commission to grant the certificate.

HELD: Alternative writ of mandamus quashed and proceeding dismissed:

1. Control by Interstate Commerce Commission over issuance or denial of certificates of public convenience and necessity for operation of motor vehicles in interstate commerce began with date of President's approval of Federal Motor Carrier Act on August 9, 1935, and not from date such Act might become operative. (49 U.S.C.A. Secs. 301-327.)

2. Florida Railroad Commission held without authority to entertain application for issuance of certificate of public convenience and necessity for exclusively interstate motor carrier operation after approval of federal act governing such certificates, until propriety of issuance had first been submitted to and passed upon by Interstate Commerce Commission. (Secs. 3 and 28, Ch. 14,764, Acts of 1931.)

3. Where Interstate Commerce Commission awards certificate of public convenience and necessity for exclusively interstate motor carrier operation, Florida Railroad Commission is required to grant carrier state certificate upon proper application to enable commission to enforce state police regulations. (Id. Secs. 3 and 28.)

L. & L. Freight Lines, Inc., vs. Douglass, 124 Fla. 696; 169 So 370. Decided June 26, 1936.

Appeal from an interlocutory order of the Circuit Court of Leon County denying an application for a restraining order against the Florida Railroad Commission to prevent the enforcement of the Florida Motor Transportation Act against the L. & L. Freight lines who were engaged in exclusive interstate commerce over certain state highways but who had not secured any authority from the Interstate Commerce Commission under the Federal Motor Carrier Act of 1935 to conduct such business.

HELD: Constitutional writ of injunction dissolved:

1. The federal right claimed by appellant, while appropriately alleged has not been made clearly to appear by proof submitted to overcome the allegations of the answer denying the lawful inauguration of the operation, and must be established by competent proof before being entitled to injunctive relief in the state courts as against the asserted rights of state officers to continue their enforcement of a state statute otherwise applicable.

2. Since the passage of the Federal Motor Carrier Act, 1935, Interstate motor carriers are entitled to injunctive pro-

tection of their operations upon it being shown by appropriate allegations and proof that they are entitled to enjoy the temporary privileges and benefits conferred *ex proprio vigore* by that Act, pending a factual decision by the I. C. C. on their interstate rights. (Sec. 206, Motor Carrier Act 1935; 49 U.S.C.A. Sec. 306.)

3. The purpose of Congress by the Federal Motor Carrier Act was to vest in the I. C. C. the ultimate authority to determine which motor carriers are entitled to operate under the terms of that Act, no such authority remaining in the state regulatory bodies.

L. & L. Freight Lines, Inc., vs. Douglass, 124 Fla. 819; 169 So. 501. Decided July 16, 1936.

Original mandamus proceeding to require the Florida Railroad Commission to grant a certificate of public convenience and necessity for an exclusive interstate motor vehicle operation to a carrier who had not received any authority from the Interstate Commerce Commission under the Federal Motor Carrier Act, 1935.

HELD: Alternative writ of mandamus denied:

1. State Railroad Commission need not grant certificate of public convenience and necessity to motor carrier for interstate operation, until Interstate Commerce Commission finally decides carrier's permanent status, notwithstanding carrier may continue already begun interstate operation until pending application to Interstate Commerce Commission for permanent certificate has been decided since such federal right is only temporary. (Sec. 3, Ch. 14,764, Acts of 1931.)

L. & L. Freight Lines, Inc., vs. Railroad Commission of Florida, 17 F. Supp. 13. Decided Dec. 4, 1936.

Suit by an interstate common carrier truck line to enjoin Florida Railroad Commission and the Florida State Road Department from enforcing against plaintiff the weight regulations of motor trucks and trailers prescribed by the Railroad Commission under the terms of Chapter 14764, Laws of Florida, 1931. Plaintiff contends that by the Motor Carrier Act, 1935, Congress assumed the regulation of interstate motor carriers for hire, preempting the field to the exclusion of state regulation.

HELD: Injunction denied:

1. Federal Motor Carrier Act does not regulate interstate motor vehicle carriers as to weight so as to displace Florida state regulations, this being plainly shown by the failure to enumerate weights in Section 204 of the Act which states the extent of the authority given the Interstate Commerce Commission over motor vehicle carriers, and by Section 225 of the Act which authorizes the I. C. C. to investigate and report on the need for federal regulation of the weight of motor vehicles. (Secs. 204 and 225, Motor Carrier Act 1935; 49 U.S.C.A. Secs. 304 and 325.)

2. Courts will not hold that regulatory police powers of the states to prescribe size and weights of vehicles using state highways in interstate commerce are superseded except on clear evidence of intent of Congress to occupy and pre-empt that field of regulation.

State of Florida ex rel. Morris Coats vs. Whitaker, 126 Fla. 543. 171 So. 521. Decided December 18, 1936.

Original habeas corpus proceeding by operator of a motor vehicle to secure release from arrest for transporting commercial fertilizer from factory to farmer-consumer without authority from Railroad Commission. It was agreed that this was a "casual and irregular" trip by one regularly engaged in hauling exempted products (agricultural products) and that trucks were operating under private license from the Motor Vehicle Department.

HELD: Petitioner remanded to custody:

1. Transporting of commercial fertilizer to the farmer is not exempt from provisions of Motor Transportation Act. (Sec. 30, Ch. 14,764, Acts of 1931.)

2. Vehicle used in hauling for compensation in order to be exempt under Section 30 of Chapter 14764 must be devoted "exclusively" to such operation. (Id.)

3. "Casual and irregular" trips, under Section 30, are not exempt unless the person making them is not engaged in the **BUSINESS** of for hire carriage as the petitioner was here, even tho he is permitted to operate under private license by the motor vehicle license law. (Id.)

Leonard Bros. Transfer & Storage Company, et al. vs. Carter,
127 Fla. 198; 172 So. 924. Decided February 26, 1937.

Original mandamus proceeding to require the Railroad Commission to deny and dismiss an application filed by the Railway Express Agency for a "For Hire" carrier's permit. A temporary permit had been granted and the Commission had thereafter held a hearing, upon the protests of the relators, to determine the exact nature of the operation and whether or not the permit was the proper authority to grant. The mandamus proceedings were brought eighteen days after the hearing and before the Commission had announced its decision.

HELD:

1. The Railroad Commission has power to tentatively grant an application for a "for hire" permit, and thereafter conduct an inquiry to determine whether the same is proper and should be allowed to remain in force. (Sec. 5, Ch. 14,764, Acts of 1931.)

2. Mandamus cannot be used to coerce a particular decision by the Railroad Commission on a matter within its jurisdiction where Commission has the matter under advisement.

Central Truck Lines, Inc., vs. Douglass, 127 Fla. 392; 173 So. 162. Decided February 16, 1937.

Petition for Writ of Certiorari to review four orders of the Railroad Commission, the first of which granted and the balance extended the authority of the Seaboard Air Line Railway to operate a common carrier truck service between certain towns served by its rail lines. (See Central Truck Lines vs. Railroad Commission, 118 Fla. 526; 160 So. 22, upholding the first of these orders) The petitioner in this case contends that all of the orders taken together, and in connection with an administrative interpretation thereof, (Traffic Circular No. 30) constitute the granting of a Certificate of Public Convenience and Necessity without requiring proof of the same as required by the Motor Transportation Act.

HELD: Certiorari denied:

1. The orders complained of are merely an extension of the same purely substituted rail service which was upheld

in *Central Truck Lines vs. Railroad Commission* (cited above) (Sec. 27, Ch. 14,764, Acts of 1931.)

2. Traffic Circular permitting rail carriers to inaugurate pick-up and delivery service at stations, with alternative provision permitting carriers to make allowance when freight was taken from station platform by consignee or delivered at platform by consignor, HELD not unlawful authorization to railroad companies to conduct pick-up and delivery service, where same alternative was declared to be allowable to public highway carriers. (Acts 1931, Ch. 14,764, Sec. 30). (Id. Secs. 3 and 27.)

Tamiami Trail Tours, Inc., vs. Railroad Commission, 128 Fla. 25; 174 So. 451. Decided March 11, 1937.

Tamiami Trail Tours, seeks to review by certiorari an order of the Railroad Commission denying an application to operate a common carrier bus service between Tampa and Tallahassee, Florida.

HELD: Writ of Certiorari granted and order of Railroad Commission quashed:

1. Petitioner held to have met the burden resting upon it as a basis for having issued a certificate where Commission found that part of territory was suffering to some extent from lack of through transportation facilities and such service would be of great convenience to that part of public. (Sec. 3, Ch. 14,764, Acts of 1931.)

2. Certiorari will lie to review an order of the Railroad Commission denying an application for Certificate of Public Convenience and Necessity. (Id. Sec. 3.)

3. (On rehearing) In Certiorari Supreme Court cannot direct respondent to enter any particular order or judgment but can only deny the writ or quash the order reviewed, and, where order is quashed, leaving the proceedings as they were before such order was entered. (Davis concurring: Decision of reviewing Court in certiorari becomes the "law of the case" which must be followed in any further proceedings before inferior tribunal, mandamus being the remedy to coerce such action.)

**AUTO TRANSPORTATION MILEAGE TAX COLLECTIONS
CALENDAR YEAR 1937**

Common Carriers Busses	\$111,052.51
Common Carriers—Trucks	78,333.02
Contract Carriers—Trucks	56,055.24
Household Goods Carriers	8,483.87
Permit Holders	5,114.86
Miscellaneous	255.61

\$259,295.11

Distributed as follows:

Comptroller's Expense Fund	\$ 3,964.90
R. R. Commission Expense Fund	25,567.74
To Counties for Road Bonds	210,209.21
County School Fund	6,088.21
Cities & Towns Fund	9,817.31
Undistributed	3,647.74

\$259,295.11

Total Collections 1937	\$259,295.11
Total Collections 1936	260,972.41
Total Collections 1935	217,487.23
Total Collections 1934	176,846.20
Total Collections 1933	148,632.57
Total Collections 1932	139,822.38
Total Collections 1931	142,293.44

ORDER NO. 927,

DOCKET NO. 100-10.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: COMPLAINT AGAINST ST. JOHNS RIVER LINE
COMPANY OF JACKSONVILLE, FLORIDA, AS TO VIOLATIONS OF THE LAW AND RULES AND REGULATIONS OF THE RAILROAD COMMISSION AND OF THE TERMS AND CONDITIONS OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 80.**

1. St. Johns River Line Company was by Order No. 923 dated December 18, 1936 cited to appear before the Commission at its Hearing Room at Tallahassee, Florida, on January 6, 1937, on charges of wilful violations of the law

and of amended Rule No. 67 of this Commission in that it did on the 24th and 25th days of November 1936 transport in its motor vehicles a greater pay load than 12,000 pounds over the highways of the State.

2. St. Johns River Line Company filed its written plea of guilty as charged in said Citation and the Commission at a hearing on this date found St. Johns River Line Company guilty as charged and that it has incurred penalties for such violations which penalties are fixed as follows:

1. REVOCATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 80.

2. PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, OF \$25.00 FOR EACH COUNT OF SAID CITATION MAKING A TOTAL OF \$75.00.

3. It is further ORDERED that the payment of the fine of \$75.00 above mentioned on or before January 20, 1937 will be accepted as full satisfaction of all penalties herein fixed.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 928,

DOCKET NO. 100-6.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: COMPLAINT AGAINST L. & L. FREIGHT LINES, INC., OF MIAMI, FLORIDA, AS TO VIOLATIONS OF THE LAW AND RULES AND REGULATIONS OF THE RAILROAD COMMISSION AND OF THE TERMS AND CONDITIONS OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 14.

1. By Order No. 919 dated December 18, 1936, the L. & L. Freight Lines, Inc., was charged with wilful violations of the terms and conditions of its Certificate of Public Convenience and Necessity No. 14, and of amended Rule No. 67 of the Rules and Regulations of the Commission, in that it did on the 9th day of December 1936, operate its Indiana Tractor and trailer and its International Tractor and trailer over the highways of the State of Florida between Jacksonville and

the Georgia-Florida State line transporting a greater gross load than 20,000 pounds.

2. A hearing of this matter was held on January 6, 1937, at which time L. & L. Freight Lines, Inc., appeared through its President and Attorney and entered a plea of guilty to each count of the Citation, but claimed that these violations were not wilful, but were caused by neglect and disregard of the orders of the company given to its drivers out of Atlanta, Georgia.

3. This matter having been considered by the Commission the L. & L. Freight Lines, Inc., was found guilty as charged in said Citation and penalties are fixed for such violations as follows:

1. REVOCATION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 14.
2. PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF A FINE OF \$25.00 FOR EACH COUNT IN SAID CITATION MAKING A TOTAL OF \$50.00.

It is further CONSIDERED, ORDERED AND ADJUDGED that the above penalties shall be and become effective on January 20, 1937 at 12:01 o'clock A. M.

It is further ORDERED that the payment by said L. & L. Freight Lines, Inc., of the said fine of \$50.00 on or before 12:01 o'clock A. M., January 20, 1937, shall be accepted as full satisfaction of all penalties herein fixed, otherwise all penalties herein fixed shall be and become immediately effective.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 929,

DOCKET NO. 100-43.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: COMPLAINT AGAINST KENNELLY TRANSFER & STORAGE COMPANY, INC., OF JACKSONVILLE, FLORIDA, AS TO VIOLATIONS OF THE LAW AND RULES OF THE RAILROAD COMMISSION IN ITS OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 134.

1. By Order No. 887 dated September 21, 1936, Kennelly Transfer & Storage Company, Inc., was charged with violations of the law and disregard of the provisions of its Certificate of Public Convenience and Necessity in that it did on September 14, 1936, operate its International Truck and trailer, License GFH 209, and Commission Plate No. 74, loaded with 123 bundles of roofing shingles of the weight of 10,000 pounds and 10 kegs of nails of the weight of 107 pounds, over the highways of the State of Florida between Jacksonville and Shamrock, Florida, contrary to the terms and conditions of its Certificate of Public Convenience and Necessity which only authorized the movement of heavy machinery or bulky materials situated in out of the way places or isolated communities.

2. Hearing on this matter was postponed at the request of attorney for Kennelly Transfer & Storage Company until December 15, 1936, when the same was heard by the Commission. J. W. Harrell, Esq., appeared for respondent. At the hearing respondent waived arraignment and admitted the facts as contained in the Citation and claimed that it was not a wilful violations of the terms and conditions of its Certificate and contended that in an emergency it was authorized under its Certificate to trasport heavy materials or heavy machinery provided it did not operate over lines operated over by other truck lines and to off line points not served by other carriers. It also claimed that it had always been engaged in this kind of transportation prior to 1929 but that through improper advice it was under the impression that the law did not affect this class of business and it was unnecessary for it to apply for and receive a Certificate from the Railroad Commission; that if it had applied within the time fixed by the Commission it would have been entitled to a Certificate as a matter of right to continue this hauling which it had always done; that it is not its custom to accept

shipments for points served by other carriers and it was under the impression that Shamrock was not served by other truck line when it accepted this shipment but that it found out afterward that this point could be served as an off line point by University City Transfer.

3. The record in this case has been carefully considered by the Commission and it is of opinion that the Certificate rights of the respondent are plainly set out in the Order granting the same, and that the respondent should conform to the type of carriage authorized in this Certificate.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Kennelly Transfer & Storage Company of Jacksonville, Florida, is guilty as charged in the Citation and has incurred a penalty therefor which penalty is fixed as follows:

1. REVOCATION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 134.
2. PAYMENT TO THE STATE TREASURER OF THE STATE OF FLORIDA A FINE OF THE SUM OF \$50.00.

It is further CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission that the payment of the said fine of \$50.00 within ten (10) days from the date hereof to the State Treasurer will be accepted as full satisfaction of the judgment and penalties fixed herein; otherwise said judgment shall be and become effective ten (10) days from the date of this Order.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 930,

DOCKET NO. 363.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION AGAINST GREAT SOUTHERN TRUCKING COMPANY OF JACKSONVILLE, FLORIDA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER, 1936.

This matter coming on for consideration this date before the Commission upon Citation issued to Great Southern Trucking Company dated December 3, 1936, for failure to report and pay the mileage taxes due by it for the month of October 1936, and it appearing that Great Southern Trucking Company did fail and refuse to report and pay said mileage taxes within the time required by the statute, but that said report has been made and mileage taxes paid since said Citation was issued:

It is therefore **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that Great Southern Trucking Company is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. **REVOCATION OF ITS CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY NOS. 180 AND 52.**
2. **PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.**

It is further **ORDERED** that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December, 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificates shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 931.

DOCKET NO. 100-9.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: CITATION AGAINST STAR TRUCK LINE OF ORLANDO, FLORIDA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER, 1936.

This matter coming on for consideration this date before the Commission upon Citation issued to Star Truck Line dated December 3, 1936, for failure to report and pay the mileage taxes due by it for the month of October 1936, and

it appearing that Star Truck Line did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said report has been made and mileage paid since said Citation was issued:

It is therefore **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that Star Truck Line is guilty as charged in said Citation and has incurred penalties, which penalties are fixed as follows:

1. **REVOCATION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 37.**
2. **PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.**

It is further **ORDERED** that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December, 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 932,

DOCKET NO. 288.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: CITATION AGAINST FLASH EXPRESS & STORAGE COMPANY, INC., OF MIAMI, FLORIDA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER, 1936.

This matter coming on for consideration this date before the Commission upon Citation issued to Flash Express & Storage Company, Inc., dated December 3, 1936, for failure to report and pay the mileage taxes due by it for the month of October 1936, and it appearing that Flash Express & Storage Company, Inc., did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said report has been made and mileage paid since said Citation was issued:

It is therefore **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that Flash Express & Storage Company, Inc., is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. **REVOCATION OF ITS PERMITS NO. 301.**
2. **PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.**

It is further **ORDERED** that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said **Permit** shall stand and be enforced.

DONE AND ORDERED Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 933,

DOCKET NO. 357.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: CITATION AGAINST J. O. MILLER CAB COMPANY OF ST. AUGUSTINE, FLORIDA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER 1936.

This matter coming on for consideration this date before the Commission upon Citation issued to J. O. Miller Cab Company dated December 3, 1936, for failure to report and pay the mileage taxes due by it for the month of October 1936, and it appearing that J. O. Miller Cab Company did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said report has been made and mileage paid since said Citation was issued:

It is therefore **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that J. O. Miller Cab Company is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. **REVOCATION OF ITS PERMIT NO. 271.**

2. PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.

It is further ORDERED that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 934,

DOCKET NO. 301.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST E. B. LORD OF SARASOTA,
FLORIDA, FOR FAILURE TO REPORT AND PAY MILE-
AGE TAXES FOR THE MONTHS OF JULY, AUGUST,
SEPTEMBER AND OCTOBER 1936.**

This matter coming on for consideration this date before the Commission upon Citation issued to E. B. Lord dated December 3, 1936, for failure to report and pay the mileage taxes due by him for the months of July, August, September, October 1936, and it appearing that E. B. Lord did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said reports have been made and mileage taxes paid since said Citation was issued:

It is therefore CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission that E. B. Lord is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

- 1. REVOCATION OF HIS PERMIT NO. 230.**
- 2. PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.**

It is further ORDERED that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December

1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 935,

DOCKET NO. 372.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION AGAINST SALL SINGER OF MIAMI BEACH, FLORIDA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTHS OF FEBRUARY, MARCH, APRIL, MAY, JUNE, JULY, AUGUST, SEPTEMBER AND OCTOBER 1936.

This matter coming on for consideration this date before the Commission upon Citation issued to Sall Singer dated December 3, 1936 for failure to report and pay the mileage taxes due by him for the months of February, March, April, May, June, July, August, September and October 1936, and it appearing that Sall Singer did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said reports have been made and mileage taxes paid since said Citation was issued:

It is therefore CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission that Sall Singer is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF HIS PERMIT NO. 288.
2. PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.

It is further ORDERED that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 936.

DOCKET NO. 266.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST MAURICE DOW OF MEL-
BOURNE, FLORIDA, FOR FAILURE TO REPORT AND
PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER
1936.**

This matter coming on for consideration this date before the Commission upon Citation issued to Maurice Dow dated December 3, 1936 for failure to report and pay the mileage taxes due by him for the month of October 1936, and it appearing that Maurice Dow did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said reports have been made and mileage taxes paid since said Citation was issued:

It is therefore **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that Maurice Dow is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. **REVOCATION OF HIS PERMIT NO. 182.**
2. **PAYMENT TO THE STATE TREASURER, TAL-
LAHASSEE, FLORIDA, \$5.00 AS A FINE.**

It is further **ORDERED** that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$5.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 937,

DOCKET NO. 317.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION AGAINST ARTHUR E. ESTHUS OF
SARASOTA, FLORIDA, FOR FAILURE TO REPORT AND
PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER
1936.

This matter coming on for consideration this date before the Commission upon Citation issued to Arthur E. Esthus dated December 3, 1936 for failure to report and pay the mileage taxes due by him for the month of October 1936, and it appearing that Arthur E. Esthus did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said reports have been made and mileage taxes paid since said Citation was issued:

It is therefore CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission that Arthur E. Esthus is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF HIS PERMIT NO. 245.
2. PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.

It is further ORDERED that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due to the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 938,

DOCKET NO. 110.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST SEGAL'S TAXI OF MIAMI
BEACH, FLORIDA, FOR FAILURE TO REPORT AND PAY
MILEAGE TAXES FOR THE MONTH OF SEPTEMBER
AND OCTOBER 1936.**

This matter coming on for consideration this date before the Commission upon Citation issued to Segal's Taxi dated December 3, 1936 for failure to report and pay the mileage taxes due by it for the months of September and October 1936, and it appearing that Segal's Taxi did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said reports have been made and mileage taxes paid since said Citation was issued:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that Segal's Taxi is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. **REVOCATION OF ITS PERMIT NO. 61.**
2. **PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.**

It is further **ORDERED** that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 939.

DOCKET NO. 263.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST ALBERT IRWIN SLAUSON
OF ORLANDO, FLORIDA, FOR FAILURE TO REPORT
AND PAY MILEAGE TAXES FOR THE MONTHS OF
AUGUST, SEPTEMBER AND OCTOBER 1936.**

This matter coming on for consideration this date before the Commission upon Citation issued to Albert Irwin Slauson dated December 3, 1936 for failure to report and pay mileage taxes due by him for the months of August, September and October 1936, and it appearing that Albert Irwin Slauson did fail and refuse to report and pay said mileage within the time required by the statute but that said reports have been made and mileage taxes paid since said Citation was issued:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that Albert Irwin Slauson is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. **REVOCATION OF HIS PERMIT NO. 189.**
2. **PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.**

It is further **ORDERED** that this Order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before the said date of January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 940,

DOCKET NO. 319.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST PERCY COX OF MIAMI,
FLORIDA, FOR FAILURE TO REPORT AND PAY MILE-
AGE TAXES FOR THE MONTHS OF AUGUST, SEPTEMBER
AND OCTOBER 1936.**

This matter coming on for consideration this date before the Commission upon Citation issued to Percy Cox dated December 3, 1936 for failure to report and pay the mileage taxes due by him for the months of August, September and October 1936, and it appearing that Percy Cox did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said reports have been made and mileage taxes paid since said Citation was issued.

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that Percy Cox is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. **REVOCATION OF HIS CERTIFICATE NO. 196.**
2. **PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.**

It is further **ORDERED** that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 941,

DOCKET NO. 274.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION AGAINST MRS. C. L. SWAGGERTY
OF FORT LAUDERDALE, FLORIDA, FOR FAILURE TO
REPORT AND PAY MILEAGE TAXES FOR THE MONTHS
OF AUGUST, SEPTEMBER AND OCTOBER 1936.

This matter coming on for consideration this date before the Commission upon Citation issued to Mrs. C. L. Swaggerty dated December 3, 1936 for failure to report and pay the mileage taxes due by her for the months of August, September and October 1936, and it appearing that Mrs. C. L. Swaggerty did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said reports have been made and mileage taxes paid since said Citation was issued:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission that Mrs. C. L. Swaggerty is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF HER PERMIT NO. 185.
2. PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.

It is further ORDERED that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 942,

DOCKET NO. 119.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST ST. AUGUSTINE TRANS-
FER OF ST. AUGUSTINE, FLORIDA, FOR FAILURE TO
REPORT AND PAY MILEAGE TAXES FOR THE MONTH
OF OCTOBER 1936.**

This matter coming on for consideration this date before the Commission upon Citation issued to St. Augustine Transfer, dated December 3, 1936 for failure to report and pay the mileage taxes due by it for the month of October 1936, and it appearing that St. Augustine Transfer did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said report has been made and mileage paid since said Citation was issued:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that St. Augustine Transfer is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. **REVOCATION OF ITS PERMIT NO. 53.**
2. **PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.**

It is further **ORDERED** that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 943,
DOCKET NO. 320.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION AGAINST ALBANY TRANSFER OF
ALBANY, GEORGIA, FOR FAILURE TO REPORT AND
PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER
1936.

This matter coming on for consideration this date before the Commission upon Citation issued to Albany Transfer dated December 3, 1936 for failure to report and pay the mileage taxes due by it for the month of October 1936, and it appearing that Albany Transfer did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said report has been made and mileage taxes paid since said Citation was issued:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission that Albany Transfer is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.
2. PAYMENT TO THE STATE TREASURER, TALLAHASSEE, \$01.00 AS A FINE.

It is further ORDERED that this order shall take effect on January 20, 1937 and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 944,

DOCKET NO. 100-34.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: CITATION AGAINST TALLAHASSEE-MONTICELLO BUS LINE OF TALLAHASSEE, FLORIDA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER 1936.

This matter coming on for consideration this date before the Commission upon Citation issued to Tallahassee-Monticello Bus Line dated December 3, 1936 for failure to report and pay the mileage taxes due by it for the month of October 1936, and it appearing that Tallahassee-Monticello Bus Line did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said report has been made and mileage taxes paid since said Citation was issued:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that Tallahassee-Monticello Bus Line is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. **REVOCATION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 125.**
2. **PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.**

It is further **ORDERED** that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 945,

DOCKET NO. 100-5.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION AGAINST BROWN'S MOTOR FREIGHT
LINES, INC., OF JACKSONVILLE, FLORIDA, FOR FAIL-
URE TO REPORT AND PAY MILEAGE TAXES FOR THE
MONTHS OF JULY, AUGUST, SEPTEMBER AND OCTO-
BER 1936.

This matter coming on for consideration this date before
the Commission upon Citation issued to Brown's Motor
Freight Lines, Inc., dated December 3, 1936 for failure to
report and pay the mileage taxes due by its for the months
of July, August, September and October 1936, and it ap-
pearing that Brown's Motor Freight Lines, Inc., did fail and
refuse to report and pay said mileage taxes within the time
required by the statute but that said report has been made
and mileage taxes paid since said Citation was issued:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED
by the Railroad Commission that Brown's Motor Freight
Lines, Inc., is guilty as charged in said Citation and has
incurred penalties which penalties are fixed as follows:

1. REVOCATION OF ITS CERTIFICATE OF PUB-
LIC CONVENIENCE AND NECESSITY NO. 91.
2. PAYMENT TO THE STATE TREASURER, TAL-
LAHASSEE, FLORIDA, \$10.00 AS A FINE.

It is further ORDERED that this order shall take effect
on January 20, 1937 and that the payment of the said fine
of \$10.00, and the payment of all mileage taxes due the
State of Florida, including taxes for the month of December
1936, on or before said January 20, 1937, will be accepted
as full satisfaction of the judgment herein rendered, other-
wise the revocation of said Certificate shall stand and be
enforced.

DONE AND ORDERED by the Railroad Commission of
the State of Florida in session at its office in the City of
Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 946,

DOCKET NO. 322.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: CITATION AGAINST W. H. TOMPKINS COMPANY, NASHVILLE, TENNESSEE, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER 1936.

This matter coming on for consideration this date before the Commission upon Citation issued to W. H. Tompkins Company dated December 3, 1936 for failure to report and pay the mileage taxes due by it for the month of October 1936, and it appearing that W. H. Tompkins Company did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said report has been made and mileage taxes paid since said Citation was issued:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that W. H. Tompkins Company is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. **REVOCATION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 1.**
2. **PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.**

It is further **ORDERED** that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 947,

DOCKET NO. 100-90.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION AGAINST COLLIER'S TERMINAL
WAREHOUSE CORPORATION, OCALA, FLORIDA, FOR
FAILURE TO REPORT AND PAY TAXES FOR THE
MONTHS OF SEPTEMBER AND OCTOBER 1936.

This matter coming on for consideration this date before the Commission upon Citation issued to Collier's Terminal Warehouse Corporation dated December 3, 1936 for failure to report and pay the mileage taxes due by it for the months of September and October 1936, and it appearing that Collier's Terminal Warehouse Corporation did fail and refuse to report and pay said mileage taxes within the time required by the statute but that said report has been made and mileage taxes paid since said Citation was issued:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission that Collier's Terminal Warehouse Corporation is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 31.
2. PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.

It is further ORDERED that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 948,

DOCKET NO. 346.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST HILL'S TRANSFER OF
TALLAHASSEE, FLORIDA, FOR FAILURE TO REPORT
AND PAY TAXES FOR THE MONTH OF OCTOBER 1936.**

This matter coming on for consideration this date before the Commission upon Citation issued to Hill's Transfer dated December 3, 1936 for failure to report and pay the mileage taxes due by it for the month of October 1936, and it appearing that Hills Transfer did fail and refuse to report and pay said mileage taxes within the time required by the statute, and has failed to appear to the Citation:

It is therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that Hill's Transfer is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. **REVOCATION OF ITS PERMIT NO. 258.**
2. **PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$20.00 AS A FINE.**

It is further **ORDERED** that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$20.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before said January 20, 1937, will be accepted as full satisfaction of the judgment therein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 949,

DOCKET NO. 380.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST HAVEN TAXI SERVICE OF
WINTER HAVEN, FLORIDA, FOR FAILURE TO REPORT
AND PAY TAXES FOR THE MONTHS OF SEPTEMBER
AND OCTOBER 1936.**

This matter coming on for consideration this date before the Commission upon Citation issued to Haven Taxi Service dated December 3, 1936 for failure to report and pay the mileage taxes due by it for the months of September and October 1936, and it appearing that Haven Taxi Service did fail and refuse to report and pay said mileage taxes within the time required by the statute, and has failed to appear to the Citation:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that Haven Taxi Service is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

- 1. REVOCATION OF ITS PERMIT NO. 296.**
- 2. PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$20.00 AS A FINE.**

It is further **ORDERED** that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$20.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 950,

DOCKET NO. 385.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST L. W. MALLOY OF VAL-
DOSTA, GEORGIA, FOR FAILURE TO REPORT AND
PAY TAXES FOR THE MONTHS OF MAY, JUNE, JULY,
AUGUST, SEPTEMBER AND OCTOBER 1936.**

This matter coming on for consideration this date before the Commission upon Citation issued to L. W. Malloy dated December 3, 1936 for failure to report and pay the mileage taxes due by him for the months of May, June, July, August, September and October 1936, and it appearing that L. W. Malloy did fail and refuse to report and pay said mileage taxes within the time required by the statute, and has failed to appear to said Citation:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission that L. W. Malloy is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. **REVOCATION OF HIS PERMIT NO. 300.**
2. **PAYMENT TO THE STATE TREASURER, TAL-
LAHASSEE, FLORIDA, \$20.00 AS A FINE.**

It is further **ORDERED** that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$20.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 951,

DOCKET NO. 391.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION AGAINST CAREY F. WEATHERS
STORAGE COMPANY OF AUGUSTA, GEORGIA, FOR
FAILURE TO REPORT AND PAY TAXES FOR THE
MONTH OF OCTOBER 1936.

This matter coming on for consideration this date before the Commission upon Citation issued to Carey F. Weathers Storage Company dated December 3, 1936 for failure to report and pay the mileage taxes due by it for the month of October 1936, and it appearing that Carey F. Weathers Storage Company did fail and refuse to report and pay said mileage taxes within the time required by the statute, and has failed to appear to said Citation:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission that Carey F. Weathers Storage Company is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF ITS PERMIT NO. 303.
2. PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$20.00 AS A FINE.

It is further ORDERED that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$20.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 952,

DOCKET NO. 117.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST USHER GARAGE OF MIAMI
BEACH, FLORIDA, FOR FAILURE TO REPORT AND
PAY TAXES FOR THE MONTHS OF AUGUST, SEPTEMBER
AND OCTOBER 1936.**

This matter coming on for consideration this date before the Commission upon Citation issued to Usher Garage dated December 3, 1936 for failure to report and pay the mileage taxes due by it for the months of August, September and October 1936, and it appearing that Usher Garage did fail and refuse to report and pay said mileage taxes within the time required by the statute, and has failed to appear to said Citation:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that Usher Garage is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. **REVOCATION OF ITS PERMIT NO. 52.**
2. **PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$20.00 AS A FINE.**

It is further **ORDERED** that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$20.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Permit shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 953,

DOCKET NO. 100-101.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION AGAINST WILL MCGHEE TRANSFER
OF TAMPA, FLORIDA, FOR FAILURE TO REPORT AND
PAY TAXES FOR THE MONTHS OF JULY, AUGUST,
SEPTEMBER AND OCTOBER 1936.

This matter coming on for consideration this date before the Commission upon Citation issued to Will McGhee Transfer dated December 3, 1936 for failure to report and pay the mileage taxes for the months of August, September and October 1936, and it appearing that Will McGhee Transfer did fail and refuse to report and pay said mileage taxes within the time required by the Statute, and has failed to appear to said Citation.

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Will McGhee Transfer is guilty as charged in said Citation and has incurred penalties which penalties are fixed as follows:

1. REVOCATION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.
2. PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$20.00 AS A FINE.

It is further ORDERED that this order shall take effect on January 20, 1937, and that the payment of the said fine of \$20.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before January 20, 1937, will be accepted as full satisfaction of the judgment herein rendered, otherwise the revocation of said Certificate shall stand and be enforced.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 954,

DOCKET NO. 99.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: COMPLAINT AGAINST SPRINGER MOTOR COMPANY OF HOLLYWOOD, FLORIDA, AS TO FAILURE TO FILE REPORTS AND PAY MILEAGE TAXES.

This matter coming on before the Commission for hearing on Citation dated December 3, 1936 in which Springer Motor Company of Hollywood, Florida, was charged with failure to file reports and to pay the mileage taxes due by it for the months of April, May, June, July, August, September and October 1936, and it appearing that this is a seasonal operation and that Springer Motor Company had notified the Railroad Commission that it had ceased its operations on April 1st and would not operate until January 1st, 1937, and that it was authorized to cease operations during the summer months:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against Springer Motor Company be and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 955,

DOCKET NO. 100-3.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: CITATION AGAINST L. W. HOLSTUN TRUCK LINE OF OCALA, FLORIDA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTHS OF SEPTEMBER AND OCTOBER 1936.

This matter coming on for consideration before the Commission on Citation dated December 3, 1936 issued against L. W. Holstun Truck Line of Ocala, Florida, for failure to report and pay mileage taxes for the months of September and October 1936, and it appearing that the mileage tax re-

ports are not made in the name of L. W. Holstun Truck Line but in the name of Holstun & Son, and that the mileage taxes due by Holstun & Son for the period described in the Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against L. W. Holstun Truck Line be and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of January 1937.

ORDER NO. 956,

DOCKET NO. 326.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF ADER COACH LINES FOR APPROVAL OF TRANSFER OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 194, FORMERLY HELD AND OWNED BY BRAINBRIDGE-COLUMBUS MOTOR LINES, TO GEORGIA STAGES, INC.

1. Pursuant to Notice No. 533 dated November 30, 1936 this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on December 15, 1936.

W. H. Burt, represented the applicant.

Leo P. Kitchen and Dan R. Schwartz, attorneys, represented L. & L. Freight Lines, Inc.

W. J. Oven represented receivers of Seaboard Air Line Railway Company.

2. The joint petition of S. H. Ader, operating as Ader Coach Lines, and of Georgia Stages, Inc., a Georgia corporation holding a charter issued by the Superior Court of Dougherty County, Georgia, and holding a Permit from the Secretary of State to do business in the State of Florida, shows that S. H. Ader, operating as Ader Coach Lines, purchased Certificate of Public Convenience and Necessity No. 194 from Bainbridge-Columbus Motor Lines authorizing operation of busses between Tallahassee, Florida, and the Georgia-Florida State line via Havana, Florida, and that such

purchase was approved by Order No. 858 of this Commission dated the 24th day of April 1936; that S. H. Ader has organized the Georgia Stages, Inc., a Georgia corporation with a capital stock of \$90,000.00 for the purpose of taking over and operating Certificate of Public Convenience and Necessity No. 194; that a certified copy of a meeting of the directors of Georgia Stages, Inc., held on November 2, 1936 in Albany, Georgia, shows that S. H. Ader was elected President of the company and that a contract of purchase and sale from S. H. Ader, doing business as Ader Coach Lines, of Certificate of Public Convenience and Necessity No. 194 to the Georgia Stages, Inc., was approved; that Georgia Stages, Inc., has agreed to assume all of the liabilities of Ader Coach Lines growing out of its operation and to make the necessary reports and to pay all mileage taxes due to the State of Florida by the said Ader Coach Lines.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the transfer of Certificate of Public Convenience and Necessity No. 194 from S. H. Ader, operating as Ader Coach Lines, to Georgia Stages, Inc., be and the same is hereby **APPROVED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 8th day of January 1937.

ORDER NO. 957,

DOCKET NO. 100-5.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: COMPLAINT AGAINST BROWN'S MOTOR
FREIGHT LINES, INC., AS TO VIOLATIONS OF THE
LAW AND RULES AND REGULATIONS OF THE RAIL-
ROAD COMMISSION IN ITS OPERATIONS UNDER CER-
TIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
NO. 91, AND EXTENSIONS THEREOF.**

1. By Order No. 874 dated August 4, 1936 Brown's Motor Freight Lines, Inc., was found guilty of certain violations of the law and the terms and conditions of its Certificate of Public Convenience and Necessity and a penalty was fixed against it as follows:

"REVOCATION OF THAT PORTION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 91 THAT AUTHORIZES OPERATION FROM JACKSONVILLE ALONG HIGHWAY NO. 4 TO DAYTONA BEACH AND NEW SMYRNA."

2. The respondent thereupon on the 24th day of August 1936 filed its petition with this Commission seeking a rehearing on the Citation issued against it and a reconsideration and modification of Order No. 874.

3. By Order No. 895, dated October 16, 1936, the petition for rehearing was granted, and the matter set down for rehearing for November 17, 1936 at 10 o'clock A. M.

4. A rehearing of this matter was postponed from time to time for good reasons, and finally heard by the Commission on December 30, 1936.

Claude Ogilvie, and C. C. Bailey of the firm of Rogers & Towers, appeared for Brown's Motor Freight Lines, Inc.

Robert H. Anderson and Harold B. Wahl and B. M. Brunson appeared for receivers of Florida East Coast Railway.

Walker & Pierce appeared on behalf of Great Southern Trucking Company.

Leo P. Kitchen and Dan R. Schwartz represented the L. & L. Freight Lines, Inc.

5. This matter having been fully heard and coming on for final consideration before the Commission, and it appearing that Mr. L. R. Brown, President of Brown's Motor Freight Lines, Inc., has been seriously ill during the past two and a half years, and that the active management and supervision of the business has been in the hands of Mrs. L. R. Brown; and it appearing further that on the 8th day of May 1935 a serious fire occurred in the warehouse of Brown's Motor Freight Lines, Inc., in which it lost practically everything that it had, including the accounts receivable upon which they have been able to collect only about 10% since the fire, and that Brown's Motor Freight Lines, Inc., has been struggling since that time to pay all of its creditors; and it further appearing that the responsibility of the operation of this business has grown to such an extent that Mrs. Brown is unable to longer look after it and a new executive in the person of Mr. A. F. Slingliff has been retained to manage the business who has promised to strictly adhere to the laws and rules of this Commission in the operation of its business;

and it further appearing that both the truck business and the boat business will be operated under one management so that Brown's Motor Freight Lines, Inc., shall at all times be responsible for the operations of the boat; and it further appearing that there is some question as to whether or not the service offered into Malabar from Melbourne, a distance of about four miles from the city limits of Melbourne, upon which Brown's Motor Freight Lines, Inc., was formerly found guilty, constitutes a violation of the law; and it appearing that there are other mitigating circumstances in this cause that leads the Commission to believe that while Brown's Motor Freight Lines, Inc., should suffer some punishment for its violations of the rules and the terms and conditions of its Certificate of Public Convenience and Necessity that the cancelation and revocation of its Certificate was a harsher penalty that should have been imposed upon it.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida on rehearing of this matter that the penalty part of Order No. 874 be and the same is amended to read as follows:

- (1) **REVOCATION OF THAT PORTION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 91 THAT AUTHORIZES OPERATION FROM JACKSONVILLE ALONG HIGHWAY NO. 4 TO DAYTONA BEACH AND NEW SMYRNA.**
- (2) **PAYMENT OF \$100.00 TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, AS A FINE.**

It is further **ORDERED** that the penalties herein fixed shall be and become effective January 20, 1937, and that the payment to the State Treasurer of the \$100.00 imposed herein as a fine shall have the effect of indefinitely postponing and suspending all other penalties fixed herein so long as said Brown's Motor Freight Lines, Inc., operates according to the law and the rules and regulations of this Commission.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 8th day of January 1937.

ORDER NO. 958,

DOCKET NO. 330.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF MARSHALL TRANSFER COMPANY OF FORT LAUDERDALE, FLORIDA, TO INCREASE ITS PRESENT SCHEDULE FROM FORT LAUDERDALE TO MIAMI VIA HOLLYWOOD, HALLANDALE, FULFORD AND MIAMI SHORES FROM FOUR DAYS A WEEK TO A DAILY, EXCEPT SUNDAY, SCHEDULE.

1. Pursuant to Notice No. 533 dated November 30, 1936 this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on December 15, 1936, and then and there appeared the following:

William J. Pruitt, represented the applicant.

W. J. Oven represented receivers of Seaboard Air Line Railway Company.

J. R. Hunter represented the Railway Express Agency.

Leo P. Kitchen and Dan R. Schwartz represented L. & L. Freight Lines, Inc.

2. Henry R. Marshall, operating as Marshall Transfer Company of Fort Lauderdale, is a common carrier of freight operating over the highways of the State from Fort Lauderdale to Miami and return under Certificate of Public Convenience and Necessity No. 168. This Certificate was purchased from the M. & E. Transfer Company operated by Mrs. Christine Edenfield, and the transfer was approved by Order No. 787 dated August 6, 1935. That at the time of the transfer, and since then, Marshall Transfer Company has been operating a regular schedule between Fort Lauderdale and Miami four days a week on Monday, Tuesday, Wednesday and Friday, leaving Fort Lauderdale at 8:30 A. M. arriving Miami 10:00 A. M. and leaving Miami 2:00 P. M. arriving in Fort Lauderdale at 4:00 P. M. That since the purchase of this Certificate the business of Marshall Transfer Company has greatly increased and many requests have been received for a daily service by those who regularly ship over this line. That general business has increased to such an extent that it is necessary for this company to operate daily in order to take care of the business offered to it by its own customers.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of Marshall Transfer Company of Fort Lauderdale, Florida, to increase its present schedule between Fort Lauderdale and Miami from four days a week to a daily, except Sunday, schedule operating as follows:

Lv. Ft. Lauderdale 9:00 A. M. Ar. Miami 10:00 A. M.
Lv. Miami 4:00 P. M. Ar. Ft. Lauderdale 5:00 P. M.
and serving intermediate points over State Road No. 4, Federal Highway No. 1, be and the same is hereby APPROVED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 8th day of January 1937.

ORDER NO. 959,

DOCKET NO. 363.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION OF GREAT SOUTHERN TRUCKING
COMPANY OF JACKSONVILLE, FLORIDA, FOR VIOLA-
TION OF AMENDED RULE NO. 67 OF THE RULES AND
REGULATIONS OF THE RAILROAD COMMISSION AND
OF THE TERMS AND CONDITIONS OF ITS CERTIFI-
CATE OF PUBLIC CONVENIENCE AND NECESSITY NO.
180.**

1. By Order No. 921 dated December 18, 1936, Great Southern Truck Company was found guilty of wilful violations of the terms and conditions of its Certificate of Public Convenience and Necessity, and of amended Rule No. 67, in that it did transport over the roads of the State on its certificated trucks a greater pay load than 12,000 pounds and penalties were fixed against its as follows:

- (1) **SUSPENSION FOR A PERIOD OF FIVE DAYS
OF ITS CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY NO. 180, AND OF ITS RIGHT
TO OPERATE THEREUNDER, SAID SUSPEN-
SION TO BEGIN TO RUN AT 12:01 A. M. DE-
CEMBER 23, 1936.**
- (2) **PAYMENT TO THE TREASURER OF THE STATE
OF FLORIDA OF A FINE OF \$25.00 FOR EACH
OF SAID OFFENSES, MAKING A TOTAL FINE
OF \$50.00.**

It was further ORDERED that the payment by Great Southern Trucking Company of the fine of \$50.00 on or before the 22d day of December 1936 would be accepted as full satisfaction of all penalties.

2. It now appears that Great Southern Trucking Company has paid to the State Treasurer the said \$50.00 as a fine imposed by said Order No. 921.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the payment of said fine of \$50.00 is hereby accepted as full satisfaction of all penalties fixed in said Order and said Citation is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 13th day of January 1937.

ORDER NO. 960.

DOCKET NO. 233.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION OF ACME FREIGHT LINES, INC., OF JACKSONVILLE, FLORIDA, FOR VIOLATIONS OF AMENDED RULE NO. 67 OF THE RULES AND REGULATIONS OF THE FLORIDA RAILROAD COMMISSION, AND OF THE TERMS AND CONDITIONS OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 185.

1. By Order No. 920 dated Cember 18, 1936 Acme Freight Lines, Inc., was found guilty of wilful violations of the terms and conditions of its Certificate of Public Convenience and Necessity, and of amended Rule No. 67, in that it did transport over the roads of the State of Florida on its certificated trucks a greater pay load than 12,000 pounds and penalties were fixed against it as follows:

- (1) SUSPENSION FOR A PERIOD OF FIVE DAYS OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 185, AND OF ITS RIGHT TO OPERATE THEREUNDER, SAID SUSPENSION TO BEGIN TO RUN AT 12:01 A. M. DECEMBER 23, 1936.

(2) **PAYMENT TO THE TREASURER OF THE STATE OF FLORIDA OF A FINE OF \$25.00 FOR EACH OF SAID OFFENSES, MAKING A TOTAL FINE OF \$50.00.**

It was further ORDERED that the payment by Acme Freight Lines, Inc., of the fine of \$50 on or before the 22nd day of December 1936 would be accepted as full satisfaction of all penalties.

2. It now appears that ACME FREIGHT LINES, INC., has paid to the State Treasurer the said \$50.00 as a fine imposed by said Order No. 920.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the payment of said fine of \$50.00 is hereby accepted as full satisfaction of all penalties fixed in said Order and said Citation is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of January 1937.

ORDER NO. 961,

DOCKET NO. 100-6.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: CITATION OF L. & L. FREIGHT LINES, INC., OF MIAMI, FOR VIOLATIONS OF AMENDED RULE NO. 67 OF THE RULES AND REGULATIONS OF THE FLORIDA RAILROAD COMMISSION AND OF THE TERMS AND CONDITIONS OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 14.

1. By Order No. 922 dated December 18, 1936 L. & L. Freight Lines, Inc., was found guilty of wilful violations of the terms and conditions of its Certificate of Public Convenience and Necessity, and of amended Rule No. 67, in that it did transport over the roads of the State on its certificated truck a great pay load than 12,000 pounds and penalties were fixed against it as follows:

(1) **SUSPENSION FOR A PERIOD OF FIVE DAYS OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 14, AND OF ITS**

RIGHT TO OPERATE THEREUNDER, SAID
SUSPENSION TO BEGIN TO RUN AT 12:01 A. M.
DECEMBER 23, 1936.

(2) PAYMENT TO THE TREASURER OF THE STATE
OF FLORIDA OF A FINE OF \$25.00.

It was further ORDERED that the payment by L. & L. Freight Lines, Inc., of the fine of \$25.00 on or before the 22d day of December 1936 would be accepted as full satisfaction of all penalties.

2. It now appears that L. & L. Freight Lines, Inc., has paid to the State Treasurer the said fine of \$25.00 imposed by said Order No. 922.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the payment of said fine of \$25.00 is hereby accepted as full satisfaction of all penalties fixed in said Order and said Citation is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 13th day of January 1937.

ORDER NO. 962,

DOCKET NO. 100-10.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: COMPLAINT AGAINST ST. JOHNS RIVER LINE
COMPANY OF JACKSONVILLE, FLORIDA, AS TO VIO-
LATIONS OF THE LAW AND RULES AND REGULATIONS
OF THE RAILROAD COMMISSION AND OF THE TERMS
AND CONDITIONS OF ITS CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY NO. 80.

1. By Order No. 927 dated the 7th day of January 1937 St. Johns River Line Company was found guilty of wilful violations of the terms and conditions of its Certificate of Public Convenience and Necessity, and of amended Rule No. 67, in that it did transport over the roads of the State on its certificated trucks a greater pay load than 12,000 pounds and penalties were fixed against it as follows:

(1) REVOCATION OF CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY NO. 80.

- (2) PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, OF \$25.00 FOR EACH COUNT OF SAID CITATION MAKING A TOTAL OF \$75.00.

It was further ORDERED that the payment by St. Johns River Line Company of the fine of \$75.00 on or before the 20th day of January, 1937 would be accepted as full satisfaction of all penalties.

2. It now appears that St. Johns River Line Company has paid to the State Treasurer the said \$75.00 as a fine imposed by said Order No. 927.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the payment of said fine of \$75.00 is hereby accepted as full satisfaction of all penalties fixed in said Order and said Citation is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of January 1937.

ORDER NO. 963,

DOCKET NO. 100-112.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF YARNALL WAREHOUSE & TRANSFER COMPANY, INC., OF LAKE LAND, FLORIDA, TO DELIVER UNDER CONTRACT MERCHANDISE FOR MONTGOMERY WARD COMPANY WITHIN A RADIUS OF FIFTY MILES OF LAKE LAND, FLORIDA.

1. Pursuant to Notice No. 518 dated April 6, 1936 this matter was set down for hearing before the Railroad Commission at its session beginning at 10 o'clock A. M. on April 21, 1936. Hearing on this matter was postponed to a later date to be fixed by the Commission. By Notice No. 520 this matter was set for hearing on July 22, 1936. At said time the following appearances were entered:

M. W. Yarnall for Yarnall Warehouse & Transfer Company, Inc.; A. Pickens Coles for Tamiami Trail Tours, Inc.; W. L. Strickland for Central Truck Lines, Inc.; F. B. Langley for Atlantic Coast Line Railroad

Company; W. J. Oven for receivers of Seaboard Air Line Railway Company; J. R. Hunter for Railway Express Agency and H. A. Cooper for Star Truck Line.

2. It appears from the evidence that Yarnall Warehouse & Transfer Company, Inc., now operates under Certificate of Public Convenience and Necessity No. 133 authorizing the transportation of household goods, store fixtures and office furniture from Lakeland to various points in the State of Florida. It also appears that this Company leases a truck to Montgomery Ward Company and furnishes a driver for said truck and by this truck freight is delivered from the Coast Line depot to the store of said Montgomery Ward Company, and the goods are delivered to various customers of said Montgomery Ward Company within a radius of fifty miles of Lakeland. No valid contract was offered at the hearing and Mr. Yarnall was ordered to secure a valid contract and submit to the Commission.

3. It now appears that the applicant has submitted a written contract entered into between it and Montgomery Ward Company under which the applicant agrees and binds itself to deliver merchandise and to do other trucking for Montgomery Ward & Company from its retail store located at Lakeland for which Montgomery Ward Company agrees to pay it a fixed sum per week for such transportation.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that said contract is hereby **APPROVED** and Certificate of Public Convenience and Necessity as a private contract carrier is authorized to be issued to Yarnall Warehouse & Transfer Company, Inc., to transport for Montgomery Ward Company as outlined in said contract.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 9th day of January 1937.

ORDER NO. 964,

DOCKET NO. 100-40.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: INVESTIGATION OF THE SERVICE, ROUTES
AND SCHEDULES OF COATS MOTOR TRANSFER COM-
PANY OF FT. PIERCE, FLORIDA, UNDER CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY NO. 46.**

1. Pursuant to Notice No. 493 dated February 5, 1935 this matter was set down for hearing on February 19, 1935. No one appeared at said time, and the matter was postponed to a later date to be fixed by the Commission.

2. Pursuant to Notice No. 514 dated January 7, 1936 this matter was heard by the Commission at its hearing room, Tallahassee, Florida, on January 22, 1936.

Mr. John C. Ausley represented Coats Motor Transfer Company.

3. It appeared that there was some confusion as to the rights of Coats Motor Transfer Company under its old Certificate No. 46 granted to it as a matter of right under the provisions of Chapter 13,700 Acts of 1929, and that the purpose of this investigation was to clarify its rights. Mr. Coats not being present at this hearing a further hearing of the matter was continued until a later date.

4. Pursuant to Notice No. 510 dated April 6, 1936 hearing on this matter was resumed before the Commission on the 21st day of April 1936. Mr. J. G. Coats, who is the owner of Coats Motor Transfer Company, appeared and exhibited contracts with the Great Atlantic & Pacific Tea Company to deliver its products from a package car to its stores in Fort Pierce, Vero and Stuart, and also a contract with Rath Packing Company to deliver its merchandise from Fort Pierce to Vero Beach, Stuart and White City, Florida. It also appeared that the Coats Motor Transfer Company was also engaged in transporting fruits and vegetables and transporting on the back haul fertilizer for the use of the farmers, and was also engaged in transporting uncrated household goods from Fort Pierce to various points in the State of Florida.

5. It was the judgment of the Commission that Coats Motor Transfer Company of Fort Pierce, Florida, should present to the Commission a contract from the Great Atlantic & Pacific

Tea Company authorizing transportation of goods, wares and merchandise of that company to Stuart and Vero Beach, and that its Certificate rights should be confined to the transportation under contract with Great Atlantic & Pacific Tea Company and Rath Packing Company, and the transportation of household goods. The Coats Motor Transfer Company having now filed with the Commission a copy of contract entered into between it and the Great Atlantic & Pacific Tea Company, and also having filed a copy of its contract with the Rath Packing Company:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the contracts entered into between Coats Motor Transfer Company and Great Atlantic & Pacific Tea Company and Rath Packing Company be and the same are hereby **APPROVED**, and contract carrier Certificate authorizing the transportation of the commodities under said contracts be and the same is hereby awarded to Coats Motor Transfer Company.

It is further **ORDERED** that the said Coats Motor Transfer Company be and it is authorized to continue its transportation of uncrated household goods from Fort Pierce, Florida, to various points in the State of Florida under the rules and regulations of this Commission.

It is further **ORDERED** that Coats Motor Transfer Company be and it is hereby **ORDERED** to cease and desist from the transportation of fertilizer, and any other merchandise, except that which is authorized herein.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of January 1937.

ORDER NO. 965,

DOCKET NO. 274.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST MRS. C. L. SWAGGERTY
OF FORT LAUDERDALE, FLORIDA, FOR FAILURE TO
REPORT AND PAY MILEAGE TAXES FOR THE MONTHS
OF AUGUST, SEPTEMBER AND OCTOBER, 1936.**

1. By Order No. 941 dated January 7, 1937, Mrs. C. L. Swaggerty was found guilty of failure to report and pay the

mileage taxes for the months of August, September and October 1936, and the following penalties were fixed against her.

(1) REVOCATION OF HER PERMIT NO. 185.

(2) PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$10.00 AS A FINE.

It was also provided in said Order that the payment of the said fine of \$10.00, and the payment of all mileage taxes due the State of Florida, including taxes for the month of December 1936, on or before January 20, 1937, would be accepted as full satisfaction of all penalties described therein.

2. It now appears that the said Mrs. Swaggerty has paid the said fine of \$10.00, and has paid all mileage taxes due to the State of Florida, including taxes for the month of December 1936.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the judgment rendered against the said Mrs. C. L. Swaggerty has been fully satisfied and said Citation is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 26th day of January 1937.

ORDER NO. 966,

DOCKET NO. 372.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION AGAINST SALL SINGER OF MIAMI BEACH, FLORIDA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTHS OF FEBRUARY, MARCH, APRIL, MAY, JUNE, JULY, AUGUST, SEPTEMBER AND OCTOBER 1936.

This matter coming on further for consideration, and it appearing that the fine of \$10.00 imposed under Order No. 935 has been paid, and all mileage taxes for the months mentioned in said Citation have been paid:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the

Citation issued against Sall Singer has been fully satisfied and the same is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 967,

DOCKET NO. 288.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION AGAINST FLASH EXPRESS & STORAGE COMPANY, INC., OF MAIMI, FLORIDA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER 1936.

This matter coming on further for consideration, and it appearing that the fine of \$10.00 imposed under Order No. 932 has been paid, and all mileage taxes for the month mentioned in said Citation have been paid:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the Citation issued against Flash Express & Storage Company, Inc., has been full satisfied and the same is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 968,

DOCKET NO. 357.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION AGAINST J. O. MILLER CAB COMPANY OF ST. AUGUSTINE, FLORIDA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER 1936.

This matter coming on further for consideration, and it appearing that the fine of \$10.00 imposed under Order No.

933 has been paid, and all mileage taxes for the month mentioned in said Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against J. O. Miller Cab Company has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 969,

DOCKET NO. 100-34.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: CITATION AGAINST TALLAHASSEE-MONTICELLO BUS LINE OF TALLAHASSEE, FLORIDA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER 1936.

This matter coming on further for consideration, and it appearing that the fine of \$10.00 imposed under Order No. 944 has been paid, and all mileage taxes for the month mentioned in said Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against Tallahassee-Monticello Bus Line has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 970,

DOCKET NO. 322.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: CITATION AGAINST W. H. TOMPKINS COMPANY, NASHVILLE, TENNESSEE, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER 1936.

This matter coming on further for consideration, and it appearing that the fine of \$10.00 imposed under Order No. 946 has been paid, and all mileage taxes for the month mentioned in said Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against W. H. Tompkins Company has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 971,

DOCKET NO. 119.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST ST. AUGUSTINE TRANSFER
OF ST. AUGUSTINE, FLORIDA, FOR FAILURE TO RE-
PORT AND PAY MILEAGE TAXES FOR THE MONTH
OF OCTOBER 1936.**

This matter coming on further for consideration, and it appearing that the fine of \$10.00 imposed under Order No. 942 has been paid, and all mileage taxes for the month mentioned have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against St. Augustine Transfer has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 972,

DOCKET NO. 301.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST E. B. LORD OF SARASOTA,
FLORIDA, FOR FAILURE TO REPORT AND PAY MILE-
AGE TAXES FOR THE MONTHS OF JULY, AUGUST,
SEPTEMBER AND OCTOBER 1936.**

This matter coming on further for consideration, and it appearing that the fine of \$10.00 imposed under Order No. 934 has been paid, and all mileage taxes for the months mentioned in said Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against E. B. Lord has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 973,

DOCKET NO. 319.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST PERCY COX OF MIAMI,
FLORIDA, FOR FAILURE TO REPORT AND PAY MILE-
AGE TAXES FOR THE MONTHS OF AUGUST, SEPTEMBER
AND OCTOBER 1936.**

This matter coming on further for consideration, and it appearing that the fine of \$10.00 imposed under Order No. 940 has been paid, and all mileage taxes for the months mentioned in said Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against Percy Cox has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 974.

DOCKET NO. 117.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST USHER GARAGE OF MIAMI
BEACH, FLORIDA, FOR FAILURE TO REPORT AND PAY
TAXES FOR THE MONTHS OF AUGUST, SEPTEMBER
AND OCTOBER 1936.**

This matter coming on further for consideration, and it appearing that the fine of \$20.00 imposed under Order No. 952 has been paid, and all mileage taxes for the month mentioned in said Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against Usher Garage has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 975.

DOCKET NO. 363.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST GREAT SOUTHERN TRUCK-
ING COMPANY OF JACKSONVILLE, FLORIDA, FOR
FAILURE TO REPORT AND PAY MILEAGE TAXES FOR
THE MONTH OF OCTOBER 1936.**

This matter coming on further for consideration, and it appearing that the fine of \$10.00 imposed under Order No. 930 has been paid, and all mileage taxes for the months mentioned in said Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against Great Southern Trucking Company has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 976,

DOCKET NO. 100-90.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST COLLIER'S TERMINAL
WAREHOUSE CORPORATION, OCALA, FLORIDA, FOR
FAILURE TO REPORT AND PAY TAXES FOR THE
MONTHS OF SEPTEMBER AND OCTOBER 1936.**

This matter coming on further for consideration, and it appearing that the fine of \$10.00 imposed under Order No. 947 has been paid, and all mileage taxes for the months mentioned in said Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against Collier's Terminal Warehouse Corporation has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 977,

DOCKET NO. 110.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST SEGAL'S TAXI OF MIAMI
BEACH, FLORIDA, FOR FAILURE TO REPORT AND PAY
MILEAGE TAXES FOR THE MONTHS OF SEPTEMBER
AND OCTOBER 1936.**

This matter coming on further for consideration, and it appearing that the fine of \$10.00 imposed under Order No. 938 has been paid, and all mileage taxes for the months mentioned in said Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against Segal's Taxi has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 978.

DOCKET NO. 263.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST ALBERT IRWIN SLAUSON
OF ORLANDO, FLORIDA, FOR FAILURE TO REPORT
AND PAY MILEAGE TAXES FOR THE MONTHS OF
AUGUST, SEPTEMBER AND OCTOBER 1936.**

This matter coming on further for consideration, and it appearing that the fine of \$10.00 imposed under Order No. 939 has been paid, and all mileage taxes for the months mentioned in said Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against Albert Irwin Slauson has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 979,

DOCKET NO. 100-9.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST STAR TRUCK LINE OF OR-
LANDO, FLORIDA, FOR FAILURE TO REPORT AND PAY
MILEAGE TAXES FOR THE MONTH OF OCTOBER 1936.**

This matter coming on further for consideration, and it appearing that the fine of \$10.00 imposed under Order No. 931 has been paid, and all mileage taxes for the months mentioned in said Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against Star Truck Line has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 980,

DOCKET NO. 266.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST MAURICE DOW OF MEL-
BOURNE, FLORIDA, FOR FAILURE TO REPORT AND
PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER
1936.**

This matter coming on further for consideration, and it appearing that the fine of \$5.00 imposed under Order No. 936 has been paid, and all mileage taxes for the months mentioned in said Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against Maurice Dow has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 981,

DOCKET NO. 385.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST L. W. MALLOY OF VAL-
DOSTA, GEORGIA, FOR FAILURE TO REPORT AND PAY
TAXES FOR THE MONTHS OF MAY, JUNE, JULY,
AUGUST, SEPTEMBER AND OCTOBER 1936.**

This matter coming on further for consideration, and it appearing that the fine of \$20.00 imposed under Order No. 950 has been paid, and all mileage taxes for the months mentioned in said Citation have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation issued against L. W. Malloy has been fully satisfied and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 982,

DOCKET NO. 391.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST CAREY F. WEATHERS
STORAGE COMPANY OF AUGUSTA, GEORGIA, FOR
FAILURE TO REPORT AND PAY TAXES FOR THE
MONTH OF OCTOBER 1936.**

This matter coming on further for consideration on this date, and it appearing that the fine of \$20.00 imposed by Order No. 951 was reduced to \$10.00, and that said fine, and all of the mileage taxes due, including the month of December 1936, have been paid:

Therefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation be and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 1st day of February 1937.

ORDER NO. 983,

DOCKET NO. 317.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST ARTHUR E. ESTHUS OF
SARASOTA, FLORIDA, FOR FAILURE TO REPORT AND
PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER
1936.**

This matter coming on further for consideration on this date upon the representations made to the Commission by Hon. John L. Early of Sarasota, Florida, as to fine imposed under Order No. 937:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the fine of \$10.00 be and the same is hereby remitted, and the Citation against the said Arthur E. Esthus is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 1st day of February 1937.

ORDER NO. 984,

DOCKET NO. 346.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN THE MATTER OF CITATION AGAINST HILL'S TRANSFER OF TALLAHASSEE, FLORIDA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER 1936.

This matter coming on for further consideration, and it appearing that there were mitigating circumstances connected with this matter, and that the fine and sentence imposed under Order No. 948 should be revoked, and it further appearing that all taxes due by this company, including taxes for the month of December 1936, have been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Citation against Hill's Transfer be and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 1st day of February 1937.

ORDER NO. 985,

DOCKET NO. 100-101.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: CITATION AGAINST WILL MCGHEE TRANSFER OF TAMPA, FLORIDA, FOR FAILURE TO REPORT AND PAY TAXES FOR THE MONTHS OF JULY, AUGUST, SEPTEMBER AND OCTOBER 1936.

This matter coming on for further consideration, and it appearing by Order No. 953 penalties were fixed against Will McGhee Transfer as follows:

1. **REVOCATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY,**
2. **PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, \$20.00 AS A FINE,**

and it further appearing that the terms and conditions of said Order have not been met by said Will McGhee Transfer, and no notice has been taken of said Order:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that authority granted to Will McGhee Transfer to transport uncrated household goods and pianos from Tampa, Florida, throughout the State under Order No. 352, dated February 13, 1931, and the authority to transport pianos on consignment for piano companies of Tampa to various points in the State, and when necessary, to make trips to these points for the purpose of returning the pianos to the piano companies in Tampa granted under Order No. 512 dated August 31, 1932, be and the same is hereby **WITHDRAWN and REVOKED**, and the said Will McGhee Transfer is hereby **ORDERED** to cease and desist from all operations under authority of said Orders over the highways of the State of Florida.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 1st day of February 1937.

ORDER NO. 986,

DOCKET NO. 320.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: CITATION AGAINST ALBANY TRANSFER OF ALBANY, GEORGIA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTH OF OCTOBER 1936.

This matter coming on for further consideration before the Commission, and it appearing that by Order No. 943 certain penalties were imposed against Albany Transfer, and certain requirements were made of it to be performed on or before January 20, 1937, otherwise said penalties should take effect, and it further appearing that said Albany Transfer has failed to comply with said requirements as contained in said Order No. 943:

It is, therefore, **CONSIDERED, ORDERED AND ADJUGED** by the Railroad Commission of the State of Florida authority granted to Albany Transfer Company under Order No. 748, dated May 22, 1935 to operate as a limited common carrier transporting household goods, furniture and fixtures only in

interstate commerce over the highways of the State of Florida be and the same is hereby REVOKED, and said Order No. 748 is hereby CANCELED, and the said Albany Transfer is hereby required to cease and desist all operations over the highways of the State of Florida.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 1st day of February 1937.

ORDER NO. 987,

DOCKET NO. 100-6.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: COMPLAINT AGAINST L. & L. FREIGHT LINES, INC., OF MIAMI, FLORIDA, AS TO VIOLATIONS OF THE LAW AND RULES AND REGULATIONS OF THE RAILROAD COMMISSION AND OF THE TERMS AND CONDITIONS OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 14.

This matter coming on for further consideration before the Commission, and it appearing that by Order No. 928 dated January 7, 1937 certain penalties were imposed against L. & L. Freight Lines, Inc., for violations of the law and rules and regulations of the Railroad Commission, and that it was provided in said Order that the payment of the fine of \$50.00 therein imposed on or before January 20, 1937, would be accepted as full satisfaction of all penalties therein fixed, and it further appearing that the said sum of \$50.00 has been paid:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the said \$50.00, is hereby accepted as full satisfaction of all penalties fixed in said Order No. 928 and the Citation against it be and the same is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 988.

DOCKET NO. 100-43.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: COMPLAINT AGAINST KENNELLY TRANSFER & STORAGE COMPANY, INC., OF JACKSONVILLE, FLORIDA, AS TO VIOLATIONS OF THE LAW AND RULES OF THE RAILROAD COMMISSION IN ITS OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 134.

This matter coming on further for consideration, and it appearing that by Order No. 929 dated January 7, 1937 Kennelly Transfer & Storage Company, Inc., of Jacksonville, Florida, was found guilty as charged in a certain Citation issued against it under Order No. 887 dated September 21, 1936, and certain penalties were fixed against it, and it was provided in said Order that the payment of a fine of \$50.00 therein imposed would be accepted as full satisfaction of the judgment and penalties therein fixed; and it now appearing that the said find of \$50.00 has been paid:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the payment of said fine of \$50.00 is accepted as full satisfaction of all penalties fixed and that the Citation against Kennelly Transfer & Storage Company, Inc., be and the same is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 989.

DOCKET NO. 100-5.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: COMPLAINT AGAINST BROWN'S MOTOR FREIGHT LINES, INC., AS TO VIOLATIONS OF THE LAW AND RULES AND REGULATIONS OF THE RAILROAD COMMISSION IN ITS OPERATIONS UNDER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 91 AND EXTENSIONS THEREOF.

This matter coming on for further consideration before the Railroad Commission of the State of Florida, and it appearing that by Order No. 957 dated January 8, 1937 penalties were fixed against Brown's Motor Freight Lines, Inc., as follows:

1. REVOCATION OF THAT PORTION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 91 THAT AUTHORIZES OPERATION FROM JACKSONVILLE ALONG HIGHWAY NO. 4 TO DAYTONA BEACH AND NEW SMYRNA.
2. PAYMENT TO THE STATE TREASURER, TALLAHASSEE, FLORIDA, OF \$100.00 AS A FINE.

It was further provided that the penalties fixed in said Order should be and become effective January 20, 1937, and that the payment of the said fine of \$100.00 would have the effect of indefinitely postponing and suspending all penalties so long as said Brown's Motor Freight Lines, Inc., operates according to the law and rules and regulations of this Commission.

And it now appearing that the said fine of \$100 has been paid:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the said fine of \$100.00 is hereby accepted, and that all other penalties fixed under said Order No. 957 be and the same are indefinitely postponed and suspended so long as said Brown's Motor Freight Lines, Inc., operates its boat line and its truck line subject to the jurisdiction of this Commission, and according to the law and the rules and regulations of this Commission.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 990,

DOCKET NO. 100-42.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY NO. 142 HELD BY FRANCIS B. SHEETZ OF
JACKSONVILLE BEACH, FLORIDA.

1. By Order No. 266 dated November 22, 1930 Certificate of Public Convenience and Necessity No. 142 was awarded to Francis B. Sheetz to operate in freight service between Jacksonville, Florida, and Atlantic Beach, Neptune Beach and Jacksonville Beach over Atlantic Boulevard and State Highway No. 78.

2. By Chapter 17,115, Acts of 1935, the legislature of the State of Florida amended Section 30 of Chapter 14,764 Acts of 1931 so as to exempt from jurisdiction and control of the Railroad Commission operations over and upon State Highway No. 78 south of Ponte Vedra and the territory adjacent to said State Road within a radius of ten miles thereof.

3. Said Act of the legislature operates to exclude all of the operations of Francis B. Sheetz under Certificate of Public Convenience and Necessity No. 142 from the control of the Railroad Commission of the State of Florida.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Certificate of Public Convenience and Necessity No. 142 heretofore issued to Francis B. Sheetz of Jacksonville Beach, Florida, be and the same is hereby CANCELED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 25th day of January 1937.

ORDER NO. 991,

DOCKET NO. 395.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: COMPLAINT OF TECHE LINES, INC., OF NEW ORLEANS, LA., TO THE SCHEDULES MAINTAINED BY MONROEVILLE BUS COMPANY BETWEEN PENSACOLA, FLORIDA, AND MOLINO, FLORIDA, VIA U. S. HIGHWAY NO. 29, STATE HIGHWAY NO. 7.

1. By Order No. 875 dated August 5, 1936 a Certificate of Public Convenience and Necessity was awarded to Monroeville Bus Company of Monroeville, Alabama, to operate as a common carrier by motor vehicle transporting passengers and light express between the Florida-Alabama State line and Pensacola, Florida, in intrastate commerce over State Highways Nos. 87 and 7, and schedules were approved authorizing said bus company to leave Pensacola, Florida, at 6:30 A. M. and 4:30 P. M. and arrive Pensacola, Florida, at 9:30 A. M. and 8:55 P. M. The order showed that no one appeared protesting the granting of this application.

2. That on December 30, 1936 complaint was made by the Teche Lines, Inc., of New Orleans, Louisiana, to the granting of this Certificate, and especially to the schedules which Monroeville Bus Company were authorized to adopt under said Order, on the ground that said Teche Lines, Inc., had insufficient notice that said Monroeville Bus Company were seeking a Certificate of Public Convenience and Necessity authorizing it to operate over a part of the same line operated over by the said Teche Lines, Inc., and by reason of said inadequate notice it did not appear protesting the granting of said Certificate and the approval of said schedules. The petition of the complainant, Teche Lines, Inc., prays that the matter be reopened to permit complainant to introduce testimony to show that it has always and still is adequately serving the territory between Pensacola and Molino and/or that Monroeville Bus Company be ordered to alter their schedules so as not to conflict with those of the complainant.

3. On January 8, 1937 Monroeville Bus Company, through its counsel, filed its answer to said complaint contending that Teche Lines, Inc., had full complete and legal notice of the application of Monroeville Bus Company for Certificate of Public Convenience and Necessity as set out in said com-

plaint, and that to reopen this matter at this late hour would subject it to great cost and expense.

4. The Railroad Commission of the State of Florida has fully considered the matters set out in said complaint of the Teche Lines, Inc., and the answer made thereto by Monroeville Bus Company, and has also examined its records in this proceeding and finds that it did on July 3, 1936 send out its notice No. 520, as required by the Statutes of the State of Florida, that a hearing would be held at the Hearing Room of the Commission in the Supreme Court Building, Tallahassee, Florida, at its session beginning at 10 o'clock A. M., on June 22d, 1936 of the matters set out in said notice, and that one of the matters set down for hearing was the application of Monroeville Bus Company of Monroeville, Alabama, which was described in said Notice No. 520, as follows:

"DOCKET NO. 395—Application of MONROEVILLE BUS COMPANY, a corporation, Monroeville, Alabama, for Certificate of Public Convenience and Necessity as Common Carrier transporting passengers, baggage and light express between Florida-Alabama State line and Pensacola over the following routes:

"From Florida-Alabama State line to Junction of State Roads 87 and 7 via State Road 87, designated as the Atmore Highway. From Junction of 87 and 7 to Pensacola, via State Road No. 7, U. S. 313, serving as intermediate points Ensley, Gonzalez, Cantonment, Cottage Hill, Molina, Walnut Hill, Davis and Atmore, Alabama."

5. That as soon as said Notice No. 520 was mailed out it was discovered that there was an error in Paragraph 1 of said Notice, and that the same was called for June 22, 1936 when it should have been July 22, 1936. This Commission immediately got out Notice No. 520-A (correcting Notice No. 520) and setting the matters contained in said Notice No. 520 for hearing on July 22, 1936 as was originally intended by said Notice. This Notice No. 520-A was sent out to the same parties to whom Notice No. 520 had been sent.

The hearing was had on the application of Monroeville Bus Company on July 22, 1936 and no one raised the question as to the typographical error appearing in Notice No. 520. The Teche Lines, Inc., has not raised that question in the instant proceeding, nor has it denied that it received Notice No. 520, and also amended Notice No. 520-A.

6. The Commission is of opinion that the complainant, Teche Lines, Inc., had ample and adequate notice of the hearing of the application of Monroeville Bus Company for a Certificate of Public Convenience and Necessity to operate over the highways described in its application. It is further of opinion that since both the Teche Lines, Inc., and Monroeville Bus Company operate in interstate commerce, and the schedules of each are fixed so as to connect with other interstate carriers, the change of schedules of either could not be accomplished without serious disruption of their connecting operations with other interstate carriers.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the prayer of the petition of Teche Lines, Inc., to reopen Docket No. 395 and/or that the schedules of Monroeville Bus Company be altered and changed, be and the same is hereby **DENIED**, and its complaint is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 25th day of January 1937.

ORDER NO. 992,

DOCKET NO. 100-33.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: APPLICATION OF THE UNIVERSITY CITY
TRANSFER COMPANY, INC., OF GAINESVILLE, FLOR-
IDA, TO EXTEND ITS CERTIFICATE OF PUBLIC CON-
VENIENCE AND NECESSITY NO. 89 TO COVER OPERA-
TIONS BETWEEN GAINESVILLE, FLORIDA, AND CEDAR
KEYS, FLORIDA.**

1. Pursuant to Notice No. 536 dated January 23d, 1937 this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on February 9, 1937.

G. J. Gunn represented the University City Transfer Company, Inc.

No other appearances were entered.

2. University City Transfer Company, Inc., under its Certificate of Public Convenience and Necessity No. 89 operates

a truck service from Jacksonville to Gainesville, Gainesville to Cross City and Gainesville to Williston. On or about June 1st, 1935 service into Cedar Keys was abandoned by the operator authorized to furnish this service and University City Transfer Company was requested by the Secretary of the Railroad Commission, as an emergency measure, to put on a service between Gainesville and Cedar Keys. This the company did and has been operating it regularly since that time. This oral request on the part of the Commission was made to the University City Transfer Company, Inc., upon the plea of citizens of that community that they had no service. The first service instituted covered mail and freight only, but later on, due to the insistent demands of the community, University City Transfer Company, Inc., inaugurated a passenger service. This service is performed in a combination passenger-freight truck with adequate accommodations for both white and colored passengers. The operation is now being made at a profit and adequate service is being furnished this community.

It was necessary when this service was instituted to make certain minor changes in schedules of the applicant between Gainesville and Cross City and between Jacksonville and Gainesville in order to coordinate all of the schedules. The applicant now asks that these schedules be approved, and has filed copies of his proposed schedules with the Commission:

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Certificate of Public Convenience and Necessity No. 89 of University City Transfer Company, Inc., be and the same is hereby extended to cover a daily, except Sunday, operation between Gainesville and Cedar Keys, Florida, transporting mail, passengers and freight on the following schedules:

Lv. Gainesville	6:15 A. M.	Ar. Cedar Keys	9:30 A. M.
Lv. Cedar Keys	5:00 P. M.	Ar. Gainesville	8:30 P. M.
Lv. Jacksonville	8:30 P. M.	Ar. Gainesville	11:30 P. M.
Lv. Gainesville	11:45 P. M.	Ar. Jacksonville	2:45 A. M.

Applicant is also permitted, when necessary, to operate Time Table No. 2, Schedule No. 2, as an auxiliary or second section of the above schedules, as follows:

Lv. Jacksonville	12:00 Noon	Ar. Gainesville	3:30 P. M.
Lv. Gainesville	next morning	Ar. Jacksonville	1:15 P. M.

ALSO:

Lv. Gainesville	9:00 A. M.	Ar. Cross City	11:00 A. M.
Lv. Cross City	11:30 A. M.	Ar. Gainesville	1:00 P. M.

It is further ORDERED that Schedules Numbered 1, 2, 3, and 4 of Time Table No. 2, copies of which have been filed with the Commission, showing above operations be and the same are hereby APPROVED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 9th day of February 1937.

ORDER NO. 993,

DOCKET NO. 100-141.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: APPLICATION FOR APPROVAL OF TRANSFER
OF CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY NO. 63 FROM R. S. COLEMAN DOING BUSI-
NESS AS COLEMAN MOTOR LINES TO GEORGIA-
STAGES, INC., OF ALBANY, GEORGIA.**

1. Pursuant to Notice No. 535 dated January 9, 1937 this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on January 26, 1937:

R. S. Coleman appeared for Coleman Motor Lines.

H. C. Roland represented Georgia Stages, Inc.

D. N. Peterman represented Seaboard Air Line Railway Company.

2. It appearing that the application for the transfer of this Certificate was incomplete in that it was not signed by any executive officer of Georgia Stages, Inc., it was decided to postpone further hearing in this matter until Thursday, January 28, 1937 at 2:30 P. M.

3. Hearing was resumed at 2:30 P. M. on January 28, 1937. Joint petition of R. S. Coleman, doing business as Coleman Motor Lines and of Georgia Stages, Inc., for approval of transfer of all rights and privileges in Certificate of Public Convenience and Necessity No. 63 from Coleman Motor Lines to Georgia Stages, Inc., covering an operation between the Georgia-Florida State line and Tallahassee, Florida, over Highway No. 10, and between Georgia-Florida State line and Monticello, Florida, over State Highway No. 11, was filed. Copy of the minutes of the Board of Directors of Georgia Stages, Inc., approving the purchase of this Cer-

tificate, copy of contract between Coleman Motor Lines and Georgia-Stages, Inc., and also financial statement of Georgia Stages, Inc., as of December 31, 1936 were filed with the Commission. It further appearing that R. S. Coleman was the sole owner of Coleman Motor Lines and he had a legal right to dispose of such Certificate, and it appearing that Georgia Stages, Inc., has recently acquired Ader Coach Lines, and is authorized to operate in Florida, and has agreed to operate the same schedules that have been operated by Coleman Motor Lines, and to make the necessary reports to this Commission:

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the joint application of R. S. Coleman operating as Coleman Motor Lines and Georgia Stages, Inc., of Albany, Georgia, for approval of the transfer of Certificate of Public Convenience and Necessity No. 63 from R. S. Coleman of Georgia Stages, Inc., covering the operation between Georgia-Florida State line and Tallahassee over State Highway No. 10, and between Georgia-Florida State line and Monticello over State Highway No. 11, authorizing the transportation of passengers and light express, be and the same is hereby APPROVED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of January 1937.

ORDER NO. 994,

DOCKET NO. 100-134.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: REVOCATION OF AUTHORITY GRANTED TO HENRY J. REDD OF TALLAHASSEE, FLORIDA, UNDER ORDER NO. 815 DATED DECEMBER 21, 1935 AUTHORIZING A COMMON CARRIER MOTOR SERVICE TRANSPORTING PASSENGERS AND LIGHT EXPRESS BETWEEN PERRY, FLORIDA, AND JACKSONVILLE, FLORIDA, WITH CLOSED DOORS AS BETWEEN MACCLENNY AND JACKSONVILLE, FLORIDA.

1. By Order No. 815 dated December 21, 1935 Certificate of Public Convenience and Necessity No. 125 owned and held by Henry J. Redd of Tallahassee, Florida, was extended to include an operation between Perry and Jacksonville, Florida,

with closed doors from Macclenny to Jacksonville, and this operation was instituted and continued up to April 15, 1936. At this time Henry J. Redd filed an application to suspend this operation for a period of sixty days and this suspension was granted. On June 10th an additional suspension order was entered for a period of sixty days from June 20, 1936.

2. It now appears that lack of sufficient funds, and inability to make proper arrangements for such funds, was the principal reason for the failure of Henry J. Redd to continue this operation. He now seeks authority to abandon such operation.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the authority granted to Henry J. Redd under Order No. 815 dated December 21, 1935 to operate an auto transportation company transporting passengers and light express between Perry, Florida, and Jacksonville, Florida, with closed doors between Macclenny and Jacksonville, be and the same is hereby **CANCELED and REVOKED**, and the said Henry J. Redd is ordered to cease and desist further operations over such route.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 3d day of February 1937.

ORDER NO. 995,

DOCKET NO. 380.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CITATION AGAINST HAVEN TAXI SERVICE OF
WINTER HAVEN, FLORIDA, FOR FAILURE TO REPORT
AND PAY TAXES FOR THE MONTHS OF SEPTEMBER
AND OCTOBER 1936.**

1. By Order No. 949 dated January 7, 1937 Haven Taxi Service was found guilty of failure and refusal to report and pay mileage taxes for the months of September and October 1936, and its Permit No. 296 was revoked, and it was required to pay a fine of \$20.00 to the State Treasurer, and to pay all mileage taxes due to the State, including taxes for the month of December 1936.

2. Fine of \$20.00 was subsequently reduced to \$10.00, and the same has been paid.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the said fine of \$10.00 is hereby accepted as full satisfaction of all penalties assessed against said Haven Taxi Service and the Citation is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 9th day of February 1937.

ORDER NO. 996,

DOCKET NO. 100-5.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: CITATION AGAINST BROWN'S MOTOR FREIGHT LINES, INC., OF JACKSONVILLE, FLORIDA, FOR FAILURE TO REPORT AND PAY MILEAGE TAXES FOR THE MONTHS OF JULY, AUGUST, SEPTEMBER AND OCTOBER 1936.

1. By Order No. 945 dated January 7, 1937 Brown's Motor Freight Lines, Inc., was found guilty of violation of the law and rules and regulations of this Commission and its Certificate of Public Convenience and Necessity No. 91 was ordered **REVOKED** and a fine of \$10.00 was assessed against it. It was provided that payment of said fine and of mileage taxes due to the State of Florida, including taxes for the month of December 1936, would be accepted as full satisfaction of all penalties fixed against it.

2. It now appears that Brown's Motor Freight Lines, Inc., has paid the sum of \$10.00 and all of its mileage taxes due to the State of Florida.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that payment of said fine, together with all taxes due to the State, including the month of December 1936, is hereby accepted as full satisfaction of all penalties assessed against it, and the Citation is hereby **DISMISSED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 4th day of February 1937.

**ORDER NO. 997,
DOCKET NO. 322.**

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: COMPLAINT AGAINST W. H. TOMPKINS COMPANY OF NASHVILLE, TENNESSEE, AS TO VIOLATIONS OF THE LAW AND RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

WHEREAS W. H. Tompkins Company is the holder of a Certificate of Registration authorizing it to operate as a common carrier of freight in interstate commerce over certain of the highways of the State of Florida, and it has been reported to this Commission that the said W. H. Tompkins Company has violated the terms and conditions of its said Certificate of Registration and the law and rules and regulations of the Commission.

Therefore you, W. H. TOMPKINS COMPANY, **TAKE NOTICE** that the Railroad Commission of the State of Florida charges you with violations of the law and rules and regulations of said Commission in the following particulars, to-wit:

- (1) A wilful violation of amended Rule No. 67 of the Rules and Regulations of this Commission in that you did on January 12, 1937, operate your Federal truck, Florida License HFH 1178 with Railroad Commission Plate No. 1905 over State Road No. 2 near Ocala, Florida, said vehicle being loaded with 400 cases of canned grapefruit juice of the weight of 14,563 pounds shipped by Hills Brothers Company of Tampa, Florida, to Ragland Potter & Company, Chattanooga, Tennessee, and C. B. Ragland Company of Nashville, Tennessee.
- (2) A wilful violation of the law and of Rule No. 63 of the Rules and Regulations of this Commission in that you did operate on January 12, 1937 your Federal truck with Florida License HFH 1178, Railroad Commission Plate No. 1905 over State Road No. 2 near Ocala, Florida, transporting property without a copy of the manifest and standard bill of lading and way-bill showing the load, the weight and other information required by said rule.
- (3) A wilful violation of amended Rule 67 of the rules and regulations of this Commission in that you did

on January 18, 1937 operate your Chevrolet tractor and trailer with Florida License HFH 619 on the tractor and Florida License 0-215 on the trailer over State Highway No. 5-A at or near Branford, Florida, said vehicle being loaded with general freight shipped by Swift & Company of Nashville, Tennessee to Swift & Company, St. Petersburg, Florida, and transporting a greater pay load than 12,000 pounds, to-wit, a pay load of 16,727 pounds.

- (4) A wilful violation of Rule No. 63 of the rules and regulations of this Commission in that you did on January 18, 1937 operate your Chevrolet tractor and trailer with Florida License HFH No. 619 on the tractor and Florida License No. 0-215 on the trailer over State Road No. 5-A transporting freight for compensation without having a manifest and standard bill of lading and way-bill accompany the shipment as required by said rule.

And further **TAKE NOTICE** that on **TUESDAY**, the 23d day of **MARCH 1937** at 10 o'clock A. M. the Railroad Commission of the State of Florida will be in session at its Hearing Room, Supreme Court Building, Tallahassee, Florida, to hear, consider and determine whether or not you, W. H. Tompkins Company, are guilty of having violated or refused to observe the laws of this State touching the operation of your motor vehicles and of the rules and regulations of this Commission, and if found guilty thereof to then and there consider what penalty should be imposed against you under the law.

And at said time and place you will have an opportunity to be fully heard on said charges.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 2d day of March 1937.

ORDER NO. 998,

DOCKET NO. 100-59.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: PENSACOLA BRIDGE CORPORATION OF PENSACOLA, FLORIDA—CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 159.

It appears that by Order No. 333 dated June 3, 1931 the Pensacola Bridge Corporation of Pensacola, Florida, was awarded a Certificate of Public Convenience and Necessity No. 159 authorizing it to operate between Pensacola and Pensacola Beach, and it further appears that said corporation operated for sometime over this route but has not operated nor filed any report of its operations for a period of more than ninety days, and has not, in fact, operated since 1932:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that Certificate of Public Convenience and Necessity No. 159 now held by Pensacola Bridge Corporation be and the same is hereby **REVOKED AND CANCELED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 6th day of March 1937.

ORDER NO. 999,

DOCKET NO. 100-109.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: COMPLAINT AGAINST UNION TRANSFER & STORAGE COMPANY AS TO ABANDONMENT OF SERVICE UNDER ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AND FAILURE TO PAY MILEAGE TAX DUE FOR THE MONTHS OF DECEMBER 1935 AND JANUARY 1936.

1. By Order No. 88 dated September 22, 1936, Union Transfer & Storage Company was cited to appear before this Commission on October 13, 1936 to show cause why its Certificate of Public Convenience and Necessity should not be revoked and canceled for its refusal to pay to the Comptroller

of the State of Florida mileage taxes in the sum of \$23.47 due for the months of December 1935 and January 1936, and for failure to operate for a period of ninety- days last past, and for assigning and transferring Certificate of Public Convenience and Necessity to Caldwell Bonded Warehouse, Inc., without the consent of the Railroad Commission.

2. It now appears from the testimony taken on said date that Union Transfer & Storage Company is delinquent in their mileage taxes for the months of December 1935 and January 1936 in the sum of \$23.47, and that it has failed to operate for a period of ninety days last past, and has failed to file any mileage tax reports, or copy of mileage tax reports with the Railroad Commission since January 1936. It further appears that it has on deposit with the Comptroller \$75.00 to cover payment of mileage tax.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Certificate of Public Convenience and Necessity No. 175 now held by Union Transfer & Storage Company authorizing the transportation of household goods be and the same is hereby CANCELED and REVOKED and Union Transfer & Storage Company is ordered to cease and desist all operations under authority of such Certificate.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 6th day of March 1937.

OPINION

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

IN RE: APPLICATION OF RAILWAY EXPRESS AGENCY, INC., OF MIAMI, FLORIDA, FOR A PERMIT AS A "FOR HIRE, CARRIER TRANSPORTING RACE HORSES BETWEEN TROPICAL PARK RACE TRACK AND HIALEAH PARK RACE TRACK.

Pursant to Order No. 910 dated November 4, 1936 this matter was set down for hearing on Tuesday, the 29th day of December 1936 at the Hearing Room of the Railroad Commission, Supreme Court Building, Tallahassee, Florida, to hear and determine whether or not the operation under the present application is in fact, and in law, "for hire" carriage, and to determine what restrictions, if any, should be placed in

the Permit, if granted, and to hear and determine whether or not a temporary Permit heretofore granted should be made permanent, and to hear all other matters and things pertinent to be heard by the Commission. At said time and place there appeared the following:

Blair Foster, Esq., of Atlanta, Georgia, appeared for applicant, Railway Express Agency, Inc.

Leo P. Kitchen & Dan R. Schwartz represented the protestants, Leonard Brothers Transfer & Storage Company and John E. Withers Transfer and Storage Company, Inc.

On October 31, 1936, Railway Express Agency, Inc., filed its application for a Permit to operate as a "For Hire" carrier transporting by motor vehicle race horses between the Tropical Park race track and Hialeah Park race track over certain roads known as the Bird Road, Red Board and Palm Avenue, being a direct route between said tracks. The application was on a form prescribed by the Railroad Commission and appeared to be in due and legal form and presented on its face a case for the granting of a permit as a for hire carrier. Section 5 of Chapter 14764, Acts of 1931, provides that where an application in due form is filed with the Railroad Commission for a permit as a "for Hire" carrier "the Commission shall issue the same as of course and without notice of public hearing". This Act also provides that while it is the duty of the Commission to issue a Permit as a matter of course, the Commission "may prescribe such reasonable rules, regulations and restrictions in such permit as it may deem necessary for the safety and conservation thereof and the protection and preservation of transportation facilities as a whole in the territory involved".

The Commission considered this application and determined that the same should be granted as a matter of course and without notice of public hearing. Protest was made that while application appeared to be in due and regular form for a "for hire" permit that the operation under the permit would be in fact in law common carriage, and, therefore, the Commission should have a hearing to determine these facts. The Commission thereupon entered its Order No. 910, and hearing was held as herein mentioned.

John E. Withers Transfer & Storage Company, Inc., holds a Certificate of Public Convenience and Necessity issued to it as a matter of right under Chapter 13,700, Acts of 1929,

authorizing it to transport household goods and uncrated furniture from Miami to various points in the State.

Certificate was also extended to authorize the hauling of race horses and polo ponies from Hialeah, Coral Gables and Miami Beach. Leonard Brothers Transfer & Storage Company, Inc., also holds a Certificate of Public Convenience and Necessity to transport household goods, and at the time that the John E. Withers Transfer & Storage Company, Inc., was authorized to extend its Certificate to transport race horses Leonard Brothers Transfer & Storage Company, Inc., was also authorized by letter, or by telegram, to also perform the same kind of service under its Certificate. These parties contended that the Railway Express Agency, Inc., was a common carrier and that its operation between the two race tracks transporting over specified highways was an operation as a common carrier. The evidence shows that John E. Withers Transfer & Storage Company, Inc., and Leonard Brothers Transfer & Storage Company, Inc., also operated over the same highways and conducted the same kind of operation which the Railway Express Agency, Inc., proposes. Applicant also proposes to transport horses from its own express cars to the track at Tropical Park, and the other carriers perform this same kind of service. There are also occasional operations from the race tracks to the Riding Academy to which race horses are sold if they are unable to continue racing. The great percentage of the operation, however, is between the two race tracks and over the highways described in the application.

The evidence further shows that the Railway Express Agency, Inc., is licensed to do business in Miami as an Express Company, and is actually engaged in pick-up and delivery of freight for the Florida East Coast Railway; that they have "for hire" tags on six of their trucks with which they perform pick-up and delivery of freight for the rail carrier. The applicant does no regular "for hire" business within the city of Miami except pick-up and delivery for the rail carrier. It engages in no local transfer business. It was the contention of the applicant that its proposed operation was in fact, and in law, "for hire" carriage, but it presented witnesses also in an attempt to prove public convenience and necessity that would justify the Commission in permitting it to continue this operation. For this purpose it placed on the stand its own Commercial Agent and its Supervisor of race horse traffic, and also two owners of race horses. These witnesses testified that it would be an advantage to the shippers of

race horses if the same company, Railway Express Agency, Inc., which brought in their horses could transport them between the two race tracks.

At the conclusion of the testimony the protestants moved that the Commission deny the application filed on behalf of the Railway Express Agency, Inc., on the ground that the applicant is a common carrier, and that the operation it proposed to conduct is that of common carriage, and that the applicant is not engaged in "for hire" business in the city of Miami, and that this operation, therefore would not be incidental to its "for hire" business. The protestants further moved that the application be denied without prejudice to the right of the applicant renewing its application for a limited common carrier Certificate of Public Convenience and Necessity.

The Commission announced that it would take this motion, and the whole case, under advisement. While considering the testimony adduced at the hearing, and before any Order could be made, protestants, Leonard Brothers Transfer & Storage Company and John E. Withers Transfer & Storage Company, procured from the Supreme Court of Florida an Alternative Writ of Mandamus setting forth the status of the matter and commanding that the Railroad Commission forthwith dismiss the application filed by the Railway Express Agency, Inc., of Miami, Florida, without prejudice to the rights of the applicant to immediately thereafter or subsequently file amended application asking for a Certificate of Public Convenience and Necessity for common carriage, or that it show cause why it refused so to do. This Writ was secured on January 15, 1937. This Writ took the matter out of the hands and control of the Railroad Commission and placed it in the Supreme Court of Florida. Subsequent proceedings were had in said Court so that on February 26, 1937 the Court entered its opinion holding:

"We think it was within the statutory power of the Commission to fully investigate and inquire into the protests that had been filed before it challenging the legal right of the Railway Express Agency, Inc., to be awarded a "for hire" carrier certificate under Section 5 of the Act, which section only permits such certificates to be issued without notice or hearing, and as a matter of right, when the provisions of the law and the facts of the particular proposed operation warrant. We think it was likewise within the Railroad Commission's power to tentatively grant the

permit upon the applicant's assertion that appellant's proposed operations under it would be in truth and in fact simple "for hire" haulage, and not a common carrier service, and thereupon to enter an extended detail inquiry as to whether or not the certificate so tentatively granted should be allowed to remain in force under the facts of the operation as disclosed at the Railroad Commission's investigation of it. Such was the procedure followed in this case, which procedure is approved as being within the purview of the proper administration of Chapter 14764, Acts of 1931, by the Railroad Commission."

The Court also held:

"The answer and return to the alternative writ presents a good and sufficient reply to the Alternative Writ and is accordingly sustained as a valid defense to the Alternative Writ of mandamus. Unless issue be taken thereon within five days, said answer and return will be accepted as true and the Alternative Writ of Mandamus quashed."

Within the five days, and on March 1st, 1937, relators, Leonard Brothers Transfer & Storage Company, Inc., and John E. Withers Transfer & Storage Company, Inc., through their counsel filed what they called a replication to the answer and return of the respondent Railroad Commission.

On March 8, 1937, relators also filed a motion before the Supreme Court to set the matter down for hearing. Hearing and oral argument was had on this Motion on March 9, 1937, and an order of the Court was entered quashing the Alternative Writ of Mandamus, but without prejudice to a reinstitution of the proceedings should no order be entered by the Railroad Commission. By virtue of this Order of the Court, the Railroad Commission is now free to enter such order in this proceeding as the evidence in the case justifies and warrants. It could enter no order between the dates of January 15, 1937 and March 9, 1937 because the matter was out of its hands and within the jurisdiction of the Supreme Court of Florida.

From a careful consideration of the evidence presented in this proceeding the Commission finds:

- (1) That the transportation of race horses in tractor and trailer horse vans between the Tropical Park race track and the Hialeah Park race track, both

located in Dade County, Florida, using a direct route over Bird Road, Red Road and Palm Avenue, and transporting horses for any or all who offer them for transportation between such race tracks, is transportation in common carriage, and all who engage in such transportation are hereby classified as limited common carriers.

- (2) That John E. Withers Transfer & Storage Company, Inc., and Leonard Brothers Transfer & Storage Company, Inc., have been engaged in this operation since the inauguration of the race tracks in Dade County, and their right to continue this operation is hereby confirmed, but the same shall be hereafter considered as limited common carrier operations, and each must file and observe a tariff of reasonable rates to be approved by this Commission for such transportation.
- (3) The applicant, Railway Express Agency, Inc., is a common carrier but it has acquired no Certificate of Public Convenience and Necessity to operate as a common carrier by motor vehicle. Its application for a "for hire" permit to transport race horses between the race tracks in Dade County must be dismissed. Such dismissal should be without prejudice to the applicant, Railway Express Agency, Inc., amending its present application or filing a new application seeking a Certificate of Public Convenience and Necessity authorizing the operation it now proposes.

An appropriation Order will be entered.

FLORIDA RAILROAD COMMISSION

COMMISSIONER DOUGLASS DISSENTING:

I agree with the majority that the transportation described is common carriage and that all who engage in such transportation should be classified as limited common carriers. I am of the opinion that the applicant, Railway Express Agency, Inc., has made a sufficient showing of public convenience and necessity to warrant a continuance of its operation. I am in favor of giving it a Certificate as a limited common carrier and permitting it to continue its operation.

ORDER NO. 1000,

DOCKET NO. 415.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF RAILWAY EXPRESS AGENCY,
INC., OF MIAMI, FLORIDA, FOR A PERMIT AS A "FOR
HIRE" CARRIER TRANSPORTING RACE HORSES BE-
TWEEN TROPICAL PARK RACE TRACK AND HIALEAH
PARK RACE TRACK.

All persons entitled to be heard having been heard in this proceeding, and the Commission having reached conclusions, as expressed in its opinion this date filed and made a part hereof:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that temporary Permit heretofore granted to Railway Express Agency, Inc., under authority of Order No. 910, dated November 4, 1936, authorizing it to transport race horses between Tropical Park race track and Hialeah Park race track, be and the same is hereby CANCELED, and the application of Railway Express Agency, Inc., is hereby DISMISSED without prejudice to the applicant amending its present application or filing a new application seeking a Certificate of Public Convenience and Necessity authorizing the operation it now proposes, and the Railway Express Agency, Inc., is hereby ORDERED to cease and desist all operations under such temporary Permit on the effective date of this Order.

It is further ORDERED that this Order shall be and become effective at midnight on Monday, March 15, 1937.

DONE AND ORDERED by the Railroad Commission or the State of Florida, in session at its office in the City of Tallahassee, Florida, this 10th day of March 1937.

OPINION

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF P. T. MALONE, OPERATING UNDER THE NAME OF MALONE HORSE PULLMAN SERVICE OF CORAL GABLES, FLORIDA, FOR A PERMIT TO OPERATE AN AUTO TRANSPORTATION COMPANY TRANSPORTING RACE HORSES BETWEEN THE HIALEAH AND TROPICAL PARK RACE TRACKS IN DADE COUNTY, FLORIDA.

Pursuant to Order No. 918 dated December 10, 1936 this matter was set down for hearing on Tuesday the 29th day of December 1936 at the Hearing Room of the Railroad Commission, Supreme Court Building, Tallahassee, Florida, to hear and determine whether or not said operation under the present application was in fact, and in law, for hire carriage, and to determine what restrictions, if any, should be placed in said Permit, and to hear and determine whether or not the temporary permit heretofore granted should be made permanent, and to hear and consider all other matters regularly coming before the Commission. At said time and place there appeared the following:

Wm. J. Pruitt, Esq., Miami, Florida, representing the applicant.

Leo P. Kitchen and Dan R. Schwartz, representing the protestants, Leonard Brothers Transfer & Storage Company and John E. Withers Transfer & Storage Company, Inc.

On December 10, 1936, P. T. Malone, operating under the name of Malone Horse Pullman Van Service, filed his application for a Permit to operate two horse pullman vans transporting race horses between Tropical Park and Hialeah Park in Dade County, Florida. The application was on a form prescribed by this Commission, and appeared to be in due and legal form presenting a prima facie case for the granting of a permit as a "for hire" carrier. The applicant also presented a letter from the Clerk and Treasurer of the City of Hialeah certifying that he is licensed to do business in the city of Hialeah, and that he is a "for hire" carrier regulated by said city.

Section 5 of Chapter 14764, Acts of 1931, provides that where an application in due form is filed with the Railroad Commission for a permit as a "for hire" carrier "the Com-

mission shall issue the same as of course and without notice of public hearing". The Act further provides, that while it is the duty of the Commission to issue a Permit as a matter of course, the Commission "may prescribe such reasonable rules, regulations and restrictions in such permit as it may deem necessary for the safety and conservation thereof and the protection and preservation of transportation facilities as a whole in the territory involved".

The Commission considered this application and determined that the same should be granted as a matter of course and without notice of public hearing. The Commission entered its Order No. 918 granting to the applicant a temporary permit as a "for hire" carrier authorizing the operation of two pullman horse vans transporting race horses between Tropical Park and Hialeah Park, both points located in Dade County, Florida, and also set the matter down for hearing to determine whether the operation under the permit would be in fact, and in law, "for hire" carriage or should be classified as common carriage. Hearing has been held as herein mentioned.

John E. Withers Transfer & Storage Company, Inc., and Leonard Brothers Transfer & Storage Company, Inc., both operating under Certificates of Public Convenience and Necessity transporting household goods and race horses between the race tracks in Dade County, Florida, appeared and protested the granting of the Certificate. These parties contended that the operation proposed was an operation in common carriage.

Applicant contended that he had recently bought a home at 1561 Catelona Avenue, Coral Gables, Florida, and that he was a resident of the State and was engaged in the transfer of "for hire" business in Hialeah, Florida; that he is a horse owner himself, has ridden horses and been around race tracks for years and operates in Boston, Naragansett, Rockingham, Jamaica, Pemlico, Harve de Grace and Canada, and that he has ample facilities for carrying on this operation. That he has been transporting horses between these two tracks since the season opened under a temporary permit granted by the Railroad Commission and hauled fifty-nine horses the first week and seventy horses the second week of his operation. That in this operation he uses the route from Hialeah down Palm Avenue to the Okeechobee Road and across Okeechobee Road to Red Road, and from Red Road to Bird Road and into Tropical Park, a distance of practically eleven miles.

That his price has been \$6.50 to carry a horse from Hialeah to Tropical Park and return. That he has recently instituted a "for hire" business in the city of Hialeah, and he claims that the transportation of horses between the race tracks is incidental to his local transfer business in the city of Hialeah.

The protestants claim that the operation of transporting race horses between the race tracks and over the direct route mentioned in the testimony is common carriage and that all who engage in this operation are common carriers, and that since applicant had proved no public convenience and necessity for this service that his application should not be granted.

At the close of the testimony the protestants moved the Commission to dismiss the application on the ground that the face of the application, and the testimony introduced, shows that the operation is that of a common carrier, and that he is not entitled to a permit, and for the further reason that protestants who are now engaged in the same kind of service have adequate facilities with which to perform the service.

The Commission took this motion and the whole case under advisement. While considering the testimony, and before any order could be made, the protestants, Leonard Brothers Transfer & Storage Company, Inc., and John E. Withers Transfer & Storage Company, Inc., procured from the Supreme Court of Florida an Alternative Writ of Mandamus on the application of the Railway Express Agency, Inc., commanding the Railroad Commission forthwith to dismiss the application of Railway Express Agency, Inc., without prejudice to thereafter file an amended application seeking a Certificate of Public Convenience and Necessity in common carriage, or that it show cause why it refused so to do. This Writ was secured on January 15, 1937 while the Commission was considering the record in this case of the Railway Express Agency, Inc. By the issuance of the Alternative Writ of Mandamus control of the Railway Express Agency, Inc., application was taken out of the hands of the Railroad Commission, and the Commission was estopped from making any order so long as this Alternative Writ was outstanding. The Commission also deferred action in the instant case until the Court should make some order in the Railway Express Agency case.

The Court on February 26, 1937 entered its opinion in the express case and approved the action of the Commission, and also held that the answer and return to the Alternative Writ filed by the Railroad Commission was a good and sufficient

reply to the Alternative Writ. On March 9, 1937 oral argument was had before the Court and the Alternative Writ of Mandamus issued in the Railway Express Agency case was quashed. The Commission thereupon, and on March 10, 1937, entered its opinion and order finding that the operation of the Railway Express Agency, Inc., in transporting race horses between the race tracks in Dade County was transportation in common carriage; canceled the temporary permit and dismissed the application of Railway Express Agency, Inc., without prejudice to the applicant amending its present application or filing a new application seeking a Certificate of Public Convenience and Necessity to perform this service.

The Commission has now given careful consideration to the application, and to the evidence presented in this proceeding, and finds:

- (1) That the transportation of race horses in tractor and trailer horse vans between the Tropical Park race track and the Hialeah Park race track, both located in Dade County, Florida, using a direct route over Bird Road, Red Road and Palm Avenue, and transporting horses for any or all who offer them for transportation between such race tracks, is transportation in common carriage, and all who engage in such transportation are hereby classified as limited common carriers.
- (2) The applicant, P. T. Malone, doing business under the name of Malone Horse Pullman Service, is engaged in the transportation mentioned in finding (1) and must be held to be in the operation of common carriage. His application for a "for hire" permit must be dismissed. Such dismissal should be without prejudice to the applicant amending his present application or filing a new application seeking a Certificate of Public Convenience and Necessity authorizing the operation he now desires to engage in.

An appropriate Order will be entered.

FLORIDA RAILROAD COMMISSION.

COMMISSIONER DOUGLASS DISSENTING:

I agree with the majority that the transportation described is common carriage, and that all who engage in such transportation should be classified as limited common carriers.

I am of the opinion that the applicant, P. T. Malone, operating under the name of Malone Horse Pullman Service, has made a sufficient showing of public convenience and necessity to warrant a continuance of his operation. I am in favor of giving him a Certificate as a limited common carrier and permitting him to continue his operation.

ORDER NO. 1002,

DOCKET NO. 349.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: APPLICATION OF P. T. MALONE, OPERATING
UNDER THE NAME OF MALONE HORSE PULLMAN
SERVICE OF CORAL GABLES, FLORIDA, FOR A PER-
MIT TO OPERATE AN AUTO TRANSPORTATION COM-
PANY TRANSPORTING RACE HORSES BETWEEN THE
HIALEAH AND TROPICAL PARK RACE TRACKS IN
DADE COUNTY, FLORIDA.**

All parties entitled to be heard having been heard in this proceeding, and the Commission having reached conclusions as expressed in its Opinion this date filed and made a part hereof:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the temporary Permit heretofore granted to P. T. Malone, operating under the name of Malone Horse Pullman Service of Coral Gables, Florida, by Order No. 918, dated December 10, 1936, authorizing it to transport race horses between the Hialeah and Tropical Park race tracks in Dade County, Florida, be and the same is hereby **CANCELED**, and the application of P. T. Malone, operating under the name of Malone Horse Pullman Service for a Permit to perform said service is hereby **DISMISSED** without prejudice to the applicant amending its present application or filing a new application seeking a Certificate of Public Convenience and Necessity authorizing the operation he now proposes, and P. T. Malone, operating under the name of Malone Horse Pullman Service is hereby **ORDERED** to cease and desist all operations under such temporary Permit on the effective date of this Order.

It is further **ORDERED** that this Order shall be and become effective at midnight on Monday, March 15, 1937.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 10th day of March 1937.

Commissioner Douglass Dissents.

ORDER NO. 1001,

DOCKET NO. 1295.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: ADOPTION OF FLORIDA MOTOR FREIGHT
TARIFF, F.R.C. NO. 2, LOCAL AND JOINT RATES, RULES
AND REGULATIONS FOR THE USE OF COMMON CAR-
RIERS BY MOTOR VEHICLE WITHIN THE STATE OF
FLORIDA.

Pursuant to Notice No. 532, issued November 27, 1936 the above matters came on for hearing before the Railroad Commission of the State of Florida at the Tampa Terrace Hotel, in the City of Tampa, Fla., at 10 o'clock, A. M. on December 8th 1936 and then and there appeared the following:

T. B. Smith, J. E. Fogarty, Geo. H. Cochrane, Edward Drake, Jr., Jos. H. Donnell, D. H. Bagley, L. A. Raulerson, J. E. Green, H. H. Lowry, Sr., Sidney Allen, J. B. Dempsey, E. C. Griffith, D. H. Matthews, Frank Wright, W. T. Weeks, B. M. Brunson, D. B. Green, L. P. King, W. J. Oven, R. S. Wheeler, J. R. Hunter, A. H. Carson, J. H. Elliott, Wayne F. McJunkin, I. T. Williams, W. J. Leonard and John Bliss.

All parties desiring to be heard having been fully heard, and the Commission having held several informal conferences with Motor Vehicle Common Carrier operators, and having fully considered all of the evidence adduced at said hearing, and being fully advised in the premises, and being of the opinion that the best interests of the motor carriers and of the public require the publishing of a Florida Motor Freight Tariff, and having prepared such Tariff:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that FLORIDA MOTOR FREIGHT TARIFF, F. R. C. No. 2, a copy of which is attached to this Order and made a part thereof for the records of the Commission, be and the same

is hereby ADOPTED and PROMULGATED FOR USE IN THE State of Florida on INTRASTATE traffic of freight by Motor Vehicle, and such common carriers of freight by motor vehicle doing an intrastate business within the State of Florida are hereby directed and required to use, follow and abide by said FLORIDA MOTOR FREIGHT TARIFF (F.R.C. No. 2).

It is further ORDERED that said Tariff be governed by National Motor Freight Classification No. 2, South, Agent C. F. Jackson's MF-ICC No. 4, and by Exceptions thereto, as applicable to Florida Intrastate traffic shown in Exceptions No. 1 to National Motor Freight Classification, South, W. M. Miller's M. F.-ICC No. 3, supplements to or successive issues of said publications.

It is further ORDERED that said Tariff shall be issued November 15, 1937, and be and become effective on December 15, 1937.

It is further ORDERED that on and after the effective date provided herein for said Florida Motor Freight Tariff, no common carrier of freight by motor vehicle shall publish any freight tariff of any kind, nor shall there be published any compilation or statement of rates, rules or regulations to be called "Information Tariffs" or "Bulletin Tariffs", as it is the intent and purpose of this Order to promulgate and prescribe Florida Motor Freight Tariff, F.R.C. No. 2, as the only tariff in effect governing the application of Florida Motor Freight rates, charges and rules, and all other tariffs governing intrastate rates, rules and regulations by truck are hereby CANCELED and REVOKED. It is the purpose of the Commission to issue a subsequent Order dealing with the Water-Truck differential rates and Class Rates, classes 8 to 12, inclusive of the St. Johns River Line Company.

It is further ORDERED that Traffic Circular No. 4, issued January 23rd, 1934, authorizing truck lines to meet reductions in rates of the rail lines and the Railway Express Agency, where such reductions have been authorized by the Commission, or where such reductions did not require authorization by the Commission, be and the same is hereby CANCELED and REVOKED.

It is further ORDERED that Florida Motor Carrier Freight Classification No. 2, and Florida Motor Carrier Class and Commodity Tariff "A", issued under and by virtue of Order No. 419, and effective February 1, 1932, be and the same are hereby CANCELED and REVOKED.

It is further ORDERED that Supplements to Florida Motor Freight Tariff, F. R. C. No. 2, hereby approved, shall be issued by this Commission only, and no Supplements to said Tariff shall be issued by common carriers of freight by motor vehicle.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 8th day of November 1937.

ORDER NO. 1003,

DOCKET NO. 100-101.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: CITATION AGAINST WILL MCGHEE TRANSFER
OF TAMPA, FLORIDA, FOR FAILURE TO REPORT AND
PAY TAXES FOR THE MONTHS OF JULY, AUGUST,
SEPTEMBER AND OCTOBER 1936.

By Order No. 985 dated February 1, 1937 authority heretofore granted Will McGhee Transfer to transport uncrated household goods and pianos from Tampa, Florida, to various points in the State under Order No. 352 dated February 13, 1931, and under Order No. 512 dated August 31, 1932 was withdrawn and revoked and Will McGhee Transfer was ordered to cease and desist from all operations under authority of said Orders for failure to pay a fine of \$20.00 imposed by Order No. 953.

Upon further consideration of this matter the Commission agreed to cancel its Order No. 985 and permit Will McGhee Transfer of Tampa, Florida, to resume operations upon the payment of the said fine of \$20.00.

The said fine has now been paid.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Order No. 985 dated February 1, 1937 is hereby CANCELED and Will McGhee Transfer is hereby authorized to resume operations transporting uncrated household goods and pianos from Tampa, Florida, to various points in the State of Florida.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 11th day of March 1937.

ORDER NO. 1004,

DOCKET NO. 100-13.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: APPLICATION OF TAMIA MI TRAIL TOURS, INC.,
OF TAMPA, FLORIDA, FOR AN EXTENSION OF ITS
CERTIFICATE OF PUBLIC CONVENIENCE AND NECES-
SITY NO. 28, TO TRANSPORT PASSENGERS AND LIGHT
EXPRESS BETWEEN TAMPA AND THE GEORGIA-FLOR-
IDA STATE LINE VIA TALLAHASSEE OVER STATE
HIGHWAYS NOS. 5, 19 AND 10.**

1. Tamiami Trail Tours, Inc., a Florida corporation, engaged as a certificated common carrier of passengers and light express operating between Tampa, St. Petersburg and Miami, Florida, by virtue of Certificate of Public Convenience and Necessity No. 28, and serving all points on the west coast of Florida between Tampa and Miami via Fort Myers, filed its application before this Commission on May 27, 1935 for an extension of its said Certificate of Public Convenience and Necessity No. 28, seeking the right to operate as a common carrier of passengers and light express between Tampa and the Georgia-Florida State line via Brooksville, Inverness, Dunnellon, Williston, Cross City, Perry and Tallahassee over State Highways Nos. 5, 19 and 10.

2. After having heard all parties who desired to be heard, and compiling an extensive record in this proceeding, this Commission, by a majority of its members, entered its Order No. 811 dated November 20, 1935 based on its opinion of October 16, 1935, and denied this application.

3. On May 5, 1936, Tamiami Trail Tours, Inc., filed an amendment to its application striking out of said application that portion of the route proposed to be served from Tallahassee north to the Georgia-Florida State line over State Highway No. 10, and by revising its proposed schedules, and petitioned the Commission for a rehearing and a reargument on the application, as amended, said reargument and rehearing to be had upon the testimony, exhibits and record already made in these proceedings, together with such additional new matters and facts submitted in the petition for rehearing. The Commission carefully considered this petition for rehearing and reargument and a majority of the Commission denied the petition for rehearing and entered Order No. 861, dated May 7, 1936. In denying this petition for rehearing a ma-

jority of the Commission reiterated their opinion and conclusions as stated in the original opinion in this case, that the territory sought to be served was completely occupied by other carriers, and that no affirmative showing of public convenience and necessity had been made which demanded the granting of a new competitive service which would tend to impair the existing competitive advantage possessed in this territory by existing certificate holders.

4. In November 1936 Tamiami Trail Tours, Inc., filed its petition for Writ of Certiorari in the Supreme Court of Florida seeking to review the action of this Commission in entering Order No. 811 denying petitioners application, and Order No. 861 denying a rehearing of said application, and asked the Court to quash said Orders and to require the Railroad Commission of the State of Florida to grant petitioner's application as applied for or grant the same with modifications, or upon such terms and conditions as in the judgment of said Commission public convenience and necessity may require. Proceedings were had in the Supreme Court on this petition for Certiorari so that on March 11, 1937 the Court entered its per curiam opinion holding that "the record amply supports the contention that the Commission departed from the essential requirements of law in denying the petition of Tamiami Trail Tours, Inc., for a Certificate of Public Convenience and Necessity, and, therefore, the Order denying the same should be quashed."

5. Petition for rehearing was filed by the interveners in this proceeding, and the Court on April 6, 1937, entered its per curiam opinion, as follows:

"PER CURIAM.

Petition for rehearing has been filed pursuant to our opinion and judgment filed herein on March 11, 1937.

It appears from the contents of the petition for rehearing that counsel has misconceived the force, effect and purport of our said opinion and judgment.

On certiorari the appellate court only determined whether or not the tribunal or administrative authority whose order or judgment is to be reviewed has in the rendition of such order or judgment departed from the essential requirements of the law and upon that determination either to quash the writ of certiorari or to quash the order reviewed.

When the order is quashed, as it was in this case, it leaves the subject matter, that is the controversy pending before the tribunal commission or administrative authority as if no order or judgment had been entered and the parties stand upon the pleadings and proof as it existed when the order was made with the rights of all parties to proceed further as they may be advised to protect or obtain the enjoyment of their rights under the law in the same manner and to the same extent which they might have proceeded, had the order reviewed not been entered.

The appellate court has no power when exercising its jurisdiction in certiorari to enter a judgment on the merits of the controversy under consideration, nor to direct the respondent to enter any particular order or judgment.

Our opinion and judgment above referred to determined only that the petitioner, Tamiami Trail Tours, Inc., had met the burden resting upon it as a basis for having issued to it a certificate of public convenience and necessity covering the route over which it proposed to operate and that the existence of prima facies of such right had not been overcome.

The petition for rehearing is denied.

ELLIS, C. J. and WHITFIELD, TERRELL, BROWN and BUFORD, J. J. Concur."

Mr. Justice Davis filed a concurring opinion, in which he said:

"Certiorari is a judicial means by which an inferior tribunal's decisions, interlocutory as well as final, may be revised in cases where no other form of judicial remedy is applicable, see: NOTES 40 Am. St. Rep. 35, 82 AM. St. Rep. 355. Whatever is decided as 'matter of law', on a writ of certiorari becomes, from that time on, by virtue of the Supreme Court's determination of it, the 'law of the case' insofar as the pending controversy is concerned on the then established state of the record, and such 'law of the case' must be observed by the inferior tribunal with reference to any further proceedings had in the inferior tribunal after the latter's order or judgment has been quashed pursuant to such certiorari, altho other and not inconsistent proceedings may be had, and further decisions

made in the cause after remand of the record, insofar as the latter are not violative of the 'law of the case' as established in the decision of the higher courts. *Ulsch v. Mountain City Milling Co.*, 103 Fla. 932, 140 Sou. Rep. 218.

"The 'law of the case' as decided, and fixed in an opinion of the Supreme Court rendered in a certiorari proceeding quashing an order of the Railroad Commission becomes a part of the record of the case after it is remitted back to the Railroad Commission, and binds the Commission just as a Supreme Court decision in any other judicially decided controversy becomes the 'law of the case' in that controversy from the time of the decision forward. But since the only judgment that the Supreme Court can rendered on certiorari is one quashing either the writ of certiorari or the judgment to which it is directed, the record of the cause must be remitted back to the inferior tribunal which may have further proceedings or render a new or further order in the proceedings of any character that to it seems fit, so long as it adheres to the 'law of the case' as comprehended in the CHARACTER AND SCOPE of the Supreme Court's decision by which it becomes bound upon the remand of the record."

6. In compliance with the "law of the case" as enunciated by the Supreme Court, and the findings of fact by the Court that the petitioner, Tamiami Trail Tours, Inc., has "met the burden resting upon it as a basis for having issued to it a Certificate of Public Convenience and Necessity covering the route over which it proposed to operate", this Commission is of opinion that further hearing in this matter is unnecessary, and that a Certificate of Public Convenience and Necessity should be awarded to petitioner, Tamiami Trail Tours, Inc., covering its original application authorizing it to operate over the routes sought and under the schedules proposed.

7. Petition for further hearing on statutory notice filed by Florida Motor Lines Corporation, successor to Florida Motor Lines, Inc., is denied.

8. Petition for further intervention, and tender of service of schedules and application to extend schedules and service from Tampa to Bradenton over State Roads 5 and 23, and thence to Sarasota, Pass-a-Grille and Fort Myers over State Highway No. 5, and thence via Tamiami Trail to Miami, filed by Florida Motor Lines Corporation, successor to Florida Motor Lines, Inc., is also denied, without prejudice to peti-

tioner to file a new application seeking the same relief prayed for in said intervention.

9. This Order deals only with the application of Tamiami Trails Tours, Inc., under Docket No. 100-13. A subsequent order will be entered reaffirming other matters dealt with in Order No. 811 not covered by the opinion and order of the Supreme Court of Florida in quashing said Order No. 811.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Tamiami Trail Tours, Inc., of Tampa, Florida, filed on May 27, 1935, for an extension of its Certificate of Public Convenience and Necessity No. 28, seeking the right to operate as a common carrier of passengers and light express between Tampa and the Georgia-Florida State line via Brooksville, Inverness, Dunnellon, Williston, Cross City, Perry and Tallahassee, Florida, over State Highways Nos. 3, 19 and 10, be and the same is hereby **APPROVED**.

It is further **ORDERED** that said operation shall be conducted under the schedules filed with the application, and shown as Exhibit "E", with leaving and arriving time, as follows:

Lv. Tampa5:45 A.M. Ar. Ga.-Fla. State Line12:25 P.M.
And returning:

Lv. Ga.-Fla. State Line5:15 P.M. Ar. Tampa12:15 A.M.
Also:

Lv. Tampa4:45 P.M. Ar. Ga.-Fla. State Line11:55 P.M.
And returning:

Lv. Ga.-Fla. State Line1:45 A.M. Ar. Tampa8:30 A.M.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of April 1937.

COMMISSIONER DOUGLASS DISSENTING:

It has been more than eighteen months since the hearing and our opinion in this proceeding, and I think a rehearing should be had of the whole matter in order that we may hear such further evidence as any of the parties to the record may wish to present. I believe the opinion of the Court gives us the right to have a further hearing.

ORDER NO. 1005.

DOCKET NO. 223.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF J. A. WHITING AND W. H. HAYES OF GAINESVILLE, FLORIDA, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TRANSPORTING PASSENGERS AND LIGHT EXPRESS BETWEEN TALLAHASSEE, FLORIDA, AND TAMPA, FLORIDA, VIA PERRY, WILLISTON, DUNNELLON, CRYSTAL RIVER, NEW PORT RICHEY AND TARPON SPRINGS, OPERATING OVER STATE ROADS NOS. 19, 5, 15, 17 AND COUNTY ROADS.

1. On May 27, 1935, J. A. Whiting and W. H. Hayes filed an application with this Commission for a Certificate of Public Convenience and Necessity seeking the right, as individuals, to operate as common carrier of passengers and light express between Tallahassee and Tampa, Florida, via Perry, Williston, Dunnellon, Crystal River, New Port Richey and Tarpon Springs over State Highways 19, 5, 15, 17 and County Roads. This application, and that of Tamiami Trail Tours, Inc., were set down for hearing under the same notice and for the same session of the Commission, but were not heard together, and separate records were made of each proceeding, but the applications covering portions of the same routes, and the same territory, were considered together by the Commission and one order was made. After hearing was concluded in the Whiting and Hayes case, and before hearing was had on the application of Tamiami Trail Tours, Inc., the applicants, Whiting and Hayes asked that their application be amended to show that the southern terminus of such operation should be Tarpon Springs instead of Tampa, and filed in the record a statement showing that they had sold their stock and transferred all of their interest in the Gulf Crescent Motor Lines, Inc., who was a protestant at the hearing, to C. H. Schultz, Vice-President and General Manager of Union Bus Company, and also a director of Gulf Crescent Motor Lines, Inc., and P. G. Howe, President and General Manager of Florida Motor Lines, Inc., in equal parts. The statement was further made by Whiting and Hayes that if their application should be granted they would ask the Commission to assign all of their rights in and to said Certificate of Public Convenience and Necessity to Gulf Crescent Motor Lines, Inc.

2. This Commission, in its opinion of October 16, 1935, in considering this matter found, that the evidence was convincing that public convenience and necessity required the service proposed by Whiting and Hayes over the route not already served by Gulf Crescent Motor Lines, Inc., even though the roads for a portion of the route were not entirely finished. In view of the fact that Gulf Crescent Motor Lines, Inc., was already operating from Tallahassee to Williston, thence to Ocala and also serving Gainesville, and that Whiting and Hayes had assigned all of their interest in such Certificate as might be granted by the Commission to Gulf Crescent Motor Lines, Inc., the Commission extended Certificate of Public Convenience and Necessity of Gulf Crescent Motor Lines, Inc., from Williston over State Road No. 5 to Dunnellon; thence from Dunnellon over Roads Nos. 168 and 15 to Crystal River; thence to Homosassa, Wekewatchee Springs, Aripeka, Hudson, New Port Richey and Tarpon Springs, and required it to furnish adequate transportation for passengers by bus over this entire route between Tarpon Springs and Tallahassee, Florida.

3. In its Order No. 811, dated November 20, 1935, based upon its conclusions and findings as expressed in its Opinion of October 16, 1935, which was made a part of Order No. 811, this Commission found:

"(1) That Gulf Crescent Motor Lines has so changed its schedules and operation between Tallahassee, Perry, Cross City, Williston, Ocala and Gainesville as to make close connection with the Florida Motor Lines at Dunnellon, and such connecting schedules result in adequate service between Tallahassee and Tampa and intermediate points. Gulf Crescent Motor Lines has also extended its service from Dunnellon to Tarpon Springs furnishing Crystal River, Homosassa, Wekewatchee Springs, Aripeka and New Port Richey a daily service."

4. In the Certiorari proceedings before the Supreme Court of Florida instituted by Tamiami Trail Tours, Inc., against this Commission, the Court quashed Order No. 811, which denied the application of Whiting and Hayes and Tamiami Trail Tours, Inc., for Certificate of Public Convenience and Necessity covering the route from Tampa to Tallahassee and to Georgia-Florida State line. The Court specifically held, as a matter of fact, that Tamiami Trail Tours, Inc., had met the burden resting upon it as a basis for having issued to it a Certificate of Public Convenience and Necessity covering

the route over which it proposed to operate, but it said nothing specifically about the application of Whiting and Hayes, nor of other matters contained in Order No. 811. The Court further said, in effect, that when an order is quashed it leaves the subject matter before the Commission as if no order, or judgment, had been entered, and the rights of all parties should be protected subject to the law of the case as enunciated by the Court.

5. Under such circumstances, it is the opinion of the Commission that the rights of Gulf Crescent Motor Lines, Inc., as the assignee of Whiting and Hayes under an application for Certificate of Public Convenience and Necessity, which the Commission held public convenience and Necessity required it to issue, should be protected and reaffirmed as it evidently was not the intent of the decision of the Court to destroy such rights.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the findings and conclusions of this Commission, as indicated in its opinion and Order No. 811 as to all other matters involved, except the denial of the application of Tamiami Trail Tours, Inc., be and the same is hereby **REAFFIRMED**, and the Certificate of Public Convenience and Necessity of Gulf Crescent Motor Lines, Inc., authorizing it to operate between Tallahassee and Ocala, Florida, via Perry, Cross City and Williston over State Road No. 19, and also between Suwannee River and Gainesville, over State Road No. 14, be and the same is hereby **EXTENDED**, so as to authorize operation between Williston and Dunnellon over State Road No. 5; and between Dunnellon and Tarpon Springs via Crystal River, Homosassa, Wekewatchee Springs, Aripeka, Hudson and New Port Richey over State Roads Nos. 168 and 15 and County Roads.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of April, 1937.

ORDER NO. 1006,

DOCKET NO. 100-138.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF ST. ANDREWS BAY TRANSPORTATION COMPANY OF PANAMA CITY FOR AN EXTENSION OF CERTIFICATE TO OPERATE OVER STATE HIGHWAY NO. 10 BETWEEN PANAMA CITY AND TALLAHASSEE, FLORIDA.

1. Pursuant to Notice No. 534, dated December 22, 1936, this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on January 6, 1937, at 10 o'clock A. M.

And then and there appeared the following:

H. H. Simms, General Freight Agent and Thomas Sale, representing the applicant.

W. J. Oven, for Receivers of Seaboard Air Line Railway Company; B. W. Eells for Apalachicola Northern Railroad; Paul Gregory representing Port St. Joe Bus & Truck Company; O. O. Miller for Marianna and Blountstown Railroad and the Highway Transport Company; H. C. Rooks, representing Rooks Coach Line and Adams & Knight also represented Rooks Coach Line; Leo P. Kitchen and Dan R. Schwartz represented L. & L. Freight Lines, Inc.

2. The original application, which was filed August 22, 1935, sought authority to operate over State Highway No. 19, between Tallahassee and its junction with State Highway No. 20. By three amendments made to the application this was changed so that the matter came on for hearing for authority to extend the Certificate of the applicant to include freight service only between Panama City and Tallahassee, Florida, over State Highway No. 10 via Port St. Joe, Apalachicola and Crawfordville, and for freight service only between Tallahassee, Florida, over State Highway No. 19 to its junction with State Highway No. 20, located between Fountain and Saunders, Florida, and to include passenger service over State Highway No. 19 between Blountstown and the junction of State Highway No. 19 with State Highway No. 20, located between Fountain and Saunders, Florida.

3. At the hearing it was agreed between the parties, and ordered by the Commission, that the hearing be continued indefinitely as to that portion of the application pertaining to operations over State Highway No. 19, it being pointed out that the highway over a portion of that route was not completed. At the same time, it was agreed and ordered that the hearing on Docket No. 382, which had been set for hearing at the same time, and was the application of Rooks Coach Line to operate between Blountstown and Panama City over State Highways Nos. 19 and 20, also be continued indefinitely. The matter heard was that portion of the application seeking the right to transport freight only over State Highway No. 10 between Panama City, Florida, and Tallahassee, Florida, via Port St. Joe, Apalachicola, Carrabelle, Crawfordville, Wakulla and Woodville.

4. Applicant is a common carrier operating both freight and passenger service between Panama City, on the east, and Pensacola, Florida, on the west, over State Highways Nos. 10 and 53, and also between Panama City on the south and the Alabama-Florida State line on the north over State Highways Nos. 20 and 6, and also between Cottondale and Marianna over State Highway No. 1. The portion of the application heard sought to extend the freight service only into Tallahassee from Panama City over State Highway No. 10.

5. The applicant produced six witnesses. Three of these were employees of the applicant and testified as to the proposed schedules, comparing them with the rail schedules to the towns affected. These witnesses also testified as to the financial condition of the applicant. Another of the applicant's witnesses testified only as to the population of Port St. Joe, one of the towns along the proposed route. The other two witnesses of the applicant lived in Panama City. One of these testified that there was some need for transportation facilities between Panama City and Port St. Joe. The other witness was the Secretary of the Panama City Chamber of Commerce who testified in a general way that the proposed service would enable Panama City merchants to expand their trade area.

6. The exhibits filed by the applicant compared the proposed truck schedules and rates with those of the existing rail carriers in the territory involved. It appeared that there would be very slight, if any, saving on freight moving between Pensacola and any of the points to which the applicant proposed to extend its service. There would be no saving as to distance traveled between Tallahassee and Panama City

but some saving in time was shown between these points. The greatest saving as to distance and time schedules would be between Panama City and Apalachicola, Port St. Joe and Carrabelle.

7. The protesting rail carriers produced eight witnesses. Six were merchants and tradesmen from Apalachicola, and two were from Port St. Joe, the principal towns between Panama City and Tallahassee on the proposed route. They appeared to be representative of the leading commercial interests of these towns. All testified that the proposed service was not needed in their business, and that they had heard no complaints against the existing service rendered by the Apalachicola Northern Railroad, Steamer Tarpon, Railway Express Agency and the light express carried by Lee Coach Line. These witnesses testified that in their opinion the existing transportation facilities in these towns are adequate.

8. At the conclusion of protestants' testimony the applicant moved for a continuance that it might produce witnesses who failed to appear, and the hearing was continued until January 26, 1937. On that date the only party who appeared was the protesting Seaboard Air Line Railway Company through D. N. Peterman. A stipulation was received into the record signed by counsel for the applicant and the protestants whereby the parties agreed that the cause should be submitted on the record as previously made with the addition of the schedules of the objectors. It was also conceded by applicant that the objectors were ready, willing and able to furnish additional service, facilities and schedules if and when required.

9. The Commission has carefully considered the record in this case, and is of opinion that the proof of public convenience and necessity submitted by the applicant falls far short of the requirements of the law and of the standards heretofore set by the Commission. No residents or tradesmen from any of the cities and towns into which the service of the applicant was proposed to be extended were produced to show any convenience or necessity for the operation. While the exhibits filed by applicant showed that the proposed service would result in some saving of time as against the existing rail service between Panama City and the points along the proposed route, there was no evidence of any need for an expedited service. On the contrary, the testimony of the protesting witnesses showed that there was no public necessity for any better service into Port St. Joe and Apalachicola. No witnesses whatever were produced from any of the

other towns into which the service was proposed to be extended. Taken as a whole, the record shows that the territory involved is adequately served by existing common carrier transportation facilities, and neither the present nor future convenience and necessity of the public, as a whole, requires the additional service.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of St. Andrews Bay Transportation Company of Panama City, Florida, to extend its Certificate of Public Convenience and Necessity to transport freight only between Panama City, Florida, and Tallahassee, Florida, over State Highway No. 10 via Port St. Joe, Apalachicola, Carrabelle, Crawfordville, Wakulla and Woodville, is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of April 1937.

ORDER NO. 1007,

DOCKET NO. 164.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN THE MATTER OF QUALIFICATIONS OF EMPLOYEES,
AND SAFETY OF OPERATION AND EQUIPMENT OF
AUTO TRANSPORTATION COMPANIES OPERATING
UNDER THIS COMMISSION.**

1. It appears that the Interstate Commerce Commission by Division 5 in Ex Parte No. MC-4 entered into an investigation of the qualifications of employees and safety of operation and equipment of common and contract carriers by motor vehicle, and, in its report and findings dated December 23, 1936, promulgated certain rules and regulations with respect to safety of operation and equipment of motor vehicles. These rules and regulations in the main were made effective as of July 1, 1937.

2. This Commission has carefully examined such rules and regulations and are of the opinion that in the interest of uniformity the rules and regulations applicable to interstate carriers should insofar as practicable also be made applicable to intrastate motor vehicles.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the rules and regulations with respect to qualifications of employees and safety of operation and equipment of motor vehicles engaged in interstate or foreign commerce approved and adopted by the Interstate Commerce Commission, a printed copy of which is hereto attached and made a part of this Order, are hereby recognized as reasonable requirements with respect to qualifications of employees and safety of operation and equipment of motor vehicles, and are adopted and made applicable to the operation of motor vehicles within the State of Florida insofar as the same are not in conflict with the statutes of Florida.

It is further **ORDERED** that these rules and regulations shall be and become effective July 1, 1937.

It is further **ORDERED** that a copy of this Order shall be served on all auto transportation companies operating in the State of Florida, and if there are any objections or complaints as to the adoption of these rules and regulations such objections and complaints shall be filed before this Commission on or before June 1st, 1937, in order that a hearing shall be had on such complaints and objections at a date prior to July 1st, 1937; if no complaints are filed the safety regulations described herein shall become effective as herein ordered.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 30th day of April 1937.

ORDER NO. 1008,

DOCKET NO. 322.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: COMPLAINT AGAINST W. H. TOMPKINS COMPANY OF NASHVILLE, TENNESSEE, AS TO VIOLATIONS OF THE LAW AND RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

1. On March 2, 1937 Citation was issued to W. H. Tompkins Company of Nashville, Tennessee, charging it with violations of the law and rules and regulations of the Railroad Commission in that it did violate Amended Rule No. 67 and

Rule No. 63 of the Rules and Regulations of the Commission by operating its trucks transporting a greater pay load than 12,000 pounds, and without having a copy of the manifest or standard bill of lading with the driver of the said trucks showing the load weight and other information required by said rules.

2. Pursuant to said Citation, as contained in Order No. 997, this matter came on for formal hearing before the Railroad Commission at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on March 23, 1937. No one appeared for the respondent, W. H. Tompkins Company.

3. The Commission having carefully considered the record and the evidence adduced at said hearing finds, that the said W. H. Tompkins Company was given due and timely notice of the hearing and of the charges made against it and the evidence shows that the said company is guilty of a wilful violation of the law, and of Amended Rule No. 67 and of Rule No. 63, as more particularly charged in the Citation issued against it on the 2nd day of March 1937 under Order No. 997.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that W. H. Tompkins Company of Nashville, Tennessee, has incurred penalties for said violations which said penalties are fixed as follows:

- (1) REVOCATION OF ITS CERTIFICATE OF REGISTRATION NO. 1 HERETOFORE ISSUED TO W. H. TOMPKINS COMPANY.
- (2) PAYMENT TO THE STATE TREASURER OF TALLAHASSEE, FLORIDA, THE SUM OF TWO HUNDRED DOLLARS (\$200.00) AS A FINE.

It is further CONSIDERED, ORDERED AND ADJUDGED that the payment by W. H. Tompkins Company of the said sum of \$200.00 imposed herein as a fine will be accepted as full satisfaction of all penalties fixed herein, and upon a proper showing that the said sum of \$200.00 has been paid, as required herein, said W. H. Tompkins Company will be permitted to continue its operations under its said Certificate of Registration.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 9th day of April 1937.

ORDER NO. 1009,

DOCKET NO. 446.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF JERRY DIEFENDERFER DO-
ING BUSINESS AS FORT MYERS TRANSIT COMPANY
OF FORT MYERS, FLORIDA, FOR CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY AS A COMMON
CARRIER TRANSPORTING PASSENGERS AND LIGHT
EXPRESS BETWEEN FORT MYERS, PUNTA RASSA AND
FORT MYERS BEACH OVER STATE HIGHWAY NO. 25.

1. Pursuant to Notice No. 540, dated April 2, 1937, this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on April 20, 1937.

R. A. Henderson of Henderson & Franklin represented the applicant.

No one appeared protesting the application.

2. The applicant desires a Certificate to operate as a Common carrier transporting passengers and light express between Fort Myers, Punta Rassa and Fort Myers Beach, and intermediate points. There are no transportation facilities between city of Fort Myers and the island area adjacent thereto. At Punta Rassa there is a ferry service transporting passengers from Punta Rassa to Sanibel Island, and the purpose of this application is to connect with those ferry schedules. There is no public transportation between Fort Myers and Fort Myers Beach. The applicant desires to operate two schedules in the morning, two in the afternoon and one in the evening, with reduced schedules during the summer season, but it is the purpose of the applicant to furnish whatever service that public convenience and necessity may require from time to time. Tamiami Trail Tours, Inc., is the only bus company that operates in this vicinity and stated that it had no objection to the granting of this Certificate. Kinzie Brothers Steamship Line now operate a ferry service between Punta Rassa and Sanibel Island and approve this application. There were also letters placed in the correspondence file from the Junior Chamber of Commerce, and the Fort Myers Property Owners Organization approving the application. The Mayor of the city of Fort Myers, Chairman of the Board of County Commissioners of Lee County, and citizens of Fort

Myers, testified as to the public convenience and necessity for this operation.

3. From the evidence adduced in this case the Commission is of opinion that public convenience and necessity require the granting of a Certificate of Public Convenience and Necessity to the applicant.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Jerry Diefenderfer, doing business as Fort Myers Transit Company, for a Certificate of Public Convenience and Necessity to operate as a common carrier transporting passengers and light express between Fort Myers, Punta Rassa and Fort Myers Beach, and intermediate points, over State Highway No. 25, under the schedules and rates as filed with the application, be and the same is hereby **GRANTED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 22d day of April 1937.

ORDER NO. 1010,

DOCKET NO. 100-135.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: JOINT APPLICATION OF SOUTHEASTERN GREYHOUND LINES, INC., A DELAWARE CORPORATION, AND SOUTHEASTERN GREYHOUND LINES, A KENTUCKY CORPORATION, FOR APPROVAL OF TRANSFER AND ASSIGNMENT OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 1-A FROM SOUTHEASTERN GREYHOUND LINES, INC., A DELAWARE CORPORATION, TO SOUTHEASTERN GREYHOUND LINES, A KENTUCKY CORPORATION, SAID CERTIFICATE COVERING OPERATING RIGHTS FROM JACKSONVILLE OVER STATE ROAD NO. 1 TO LAKE CITY, THENCE OVER STATE ROAD NO. 2 TO THE GEORGIA-FLORIDA STATE LINE.

1. Pursuant to Notice No. 541 dated April 2, 1937, this matter came on for formal hearing before the Railroad Commission of the State of Florida at the Seminole Hotel, Jacksonville, Florida, on April 19, 1937.

A. Y. Milam appeared for the applicants.
There were no other appearances.

2. From the evidence given by Mr. C. G. Schultz, Vice President of the Southeastern Greyhound Lines, Inc., a Delaware corporation, it appears that said line is now operating in interstate commerce between Jacksonville, via Lake City, and the Georgia State line; that at the present time Southeastern Greyhound Lines of Kentucky owns all of the corporate stock of several operating companies among which is Southeastern Greyhound Lines, Inc., of Delaware. That sometime ago, pursuant to the general policy of eliminating holding companies, the owners of Southeastern Greyhound Lines of Kentucky decided to merge all of the various operating companies in the parent company taking over all the assets and assuming all liabilities of the other companies; by that plan the Southeastern Greyhound Lines of Delaware would be liquidated and dissolved; this matter has been submitted to and heard by the Interstate Commerce Commission and the Interstate Commerce Commission has approved said consolidation and merger conditioned upon the filing of certified copies of a resolution adopted by the stockholders and directors of the respective corporations authorizing said merger; that said resolutions are being prepared and will be filed with the Interstate Commerce Commission and this Commission.

3. Both applicants agree to file all necessary reports, indemnity insurance and to assume and pay and discharge all obligations due the State of Florida, and to file with this Commission certified copy of the charter of the Kentucky corporation and evidence of its ability to do business in the State of Florida.

4. It further appears that Southeastern Greyhound Lines of Delaware, or its predecessors, had an agreement with the Union Bus Company whereby their operations were limited in Florida to interstate rights plus the intrastate rights between the Georgia State Line and the northern boundary of the city of Lake City. It further appears that Certificate No. 1, was by Order No. 1 of this Commission, issued to Greyhound Lines covering operations between Jacksonville and Georgia State line via Lake City, and between Jacksonville and the Georgia State over State Road No. 4. That by Order No. 315, dated April 16, 1931, the transfer of that portion of Certificate of Public Convenience and Necessity No. 1-A, heretofore issued to Southeastern Greyhound Lines that covers the route from Jacksonville to the Georgia State line via Callahan and Hilliard over State Highway No. 4, to the Camel Lines, Inc., as a holding company, was approved, and a proviso was put in the Order that the transfer of that

part of Certificate No. 1-A should not affect the remaining portion of Certificate No. 1, from Jacksonville to the Georgia State line via Lake City. It further appears that the Atlantic Greyhound Lines of Virginia, formerly Camel Lines, Inc., are the owners of Certificate of Public Convenience and Necessity No. 132 authorizing it to operate over State Road No. 4 from Jacksonville to the Georgia-Florida line, and are also the owners of a portion of Certificate of Public Convenience and Necessity No. 1-A transferred to it from the Southeastern Greyhound Lines covering this same route. It now appears from the records of the Commission that Southeastern Greyhound Lines, Inc., is now the holder and owner of Certificate rights from Jacksonville via Lake City to the Georgia State line, and such rights are held under Certificate of Public Convenience and Necessity originally granted Greyhound Lines, Inc., and transferred to Southeastern Greyhound Lines by Order No. 160; and that Certificate of Public Convenience and Necessity No. 1-A, covering operations over State Road No. 4 from Jacksonville to Georgia State Line, was evidently a portion of the original Certificate of Public Convenience and Necessity No. 1, and when split off from such Certificate left Certificate of Public Convenience and Necessity No. 1, covering the operation from Jacksonville via Lake City to the Georgia-Florida State line.

It is the opinion of the Commission that Certificate of Public Convenience and Necessity involved in this transfer should properly be designated as Certificate No. 1, instead of Certificate No. 1-A, as mentioned in the application, and the motion to amend petition to specify this change is hereby GRANTED. The Commission is further of opinion that this Certificate carries intrastate rights between Lake City and the Georgia State line.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commissioners of the State of Florida that the joint application of Southeastern Greyhound Lines, Inc., a Delaware corporation, and Southeastern Greyhound Lines, a Kentucky corporation, for approval of transfer and assignment by Southeastern Greyhound Lines, Inc., of Delaware of Certificate of Public Convenience and Necessity No. 1, covering interstate operations between Jacksonville and the Georgia-Florida State line via Lake City over State Highways Nos. 1 and 2, together with intrastate rights between Lake City and the Georgia State line over State Highway No. 2, to Southeastern Greyhound Lines, a Kentucky corporation, be and the same is hereby APPROVED.

It is further ORDERED that the approval of this transfer and assignment shall be and become effective when Southeastern Greyhound Lines, a Kentucky corporation, has acquired the assets of the Southeastern Greyhound Lines, Inc., a Delaware corporation, and a written instrument defining such assets be actually executed and a copy filed with this Commission; and when both corporations have filed reports with this Commission evidencing conclusion of the operation by the Delaware corporation, and the assumption of operation by the Kentucky corporation.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 22d day of April 1937.

ORDER NO. 1011,

DOCKET NO. 1300.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN THE MATTER OF THE APPLICATION OF CERTAIN
HOUSEHOLD GOODS CARRIERS FOR APPROVAL OF
HOUSEHOLD GOODS TARIFF NO. 1, (HG-FRC NO. 1).**

Pursuant to Notice No. 537, issued March 5, 1937, the above matter came on for hearing before the Railroad Commission of the State of Florida in their Hearing Room at Tallahassee, Florida, at 10 o'clock, A. M., March 23rd, 1937, and then and there appeared the following:

Dan R. Schwartz, Carl Z. Suddath and W. W. Delcher.

All parties desiring to be heard were fully heard.

After hearing all evidence offered under oath the Commissioners took the said matter under advisement for final consideration.

And now on this day the Railroad Commissioners of the State of Florida, having fully considered all of the evidence taken at said hearing, and being fully advised in the premises, do FIND and ORDER as follows:

It is FOUND that up to the present time no uniform Tariff of Rules and Rates has been prescribed for the use of haulers of Household Goods, operating under certificate from this Commission between points in the State of Florida.

It is further **FOUND** that in the interest of uniformity in the proper assessment of Rates and Rules covering the handling of Household Goods by certificated carriers of same between points in the State of Florida there should be a uniform tariff covering such movement, applicable to all carriers handling Household Goods, under Household Goods certificates between points in the State of Florida.

It is further **FOUND** that twenty of the leading Household Goods haulers have given to Leo P. Kitchen and Dan R. Schwartz their powers of attorney to prepare a tariff covering the movement of Household Goods between points in Florida and present same to the Railroad Commission for its approval.

Acting under these powers of attorney Leo P. Kitchen and Dan R. Schwartz prepared **HOUSEHOLD GOODS TARIFF No. 1**, H. G.-F.R.C. No. 1, and submitted same to the Florida Railroad Commission at the hearing referred to above.

It is **ORDERED** that **HOUSEHOLD GOODS TARIFF No. 1**, (HG-F.R.C. No. 1), issued by Leo P. Kitchen and Dan R. Schwartz, to become effective July 15, 1937, be and it is hereby adopted by the Railroad Commission of the State of Florida, to be used by the handlers of Household Goods by Motor Vehicle, on such traffic between points in the State of Florida, and its use is hereby made mandatory by all Household Goods haulers operating under Household Goods certificates from this Commission, between points in the State of Florida.

It is further **ORDERED** that a copy of Household Goods Tariff No. 1 as referred to herein, shall be kept on file, open to public inspection, at each home office and at each office where an Agent is maintained and a copy carried in each and every motor vehicle engaged in the transportation of Household Goods in Florida intrastate traffic.

It is further **ORDERED** that all Household Goods haulers by motor vehicle operating under certificate from the Florida Railroad Commission, handling Household Goods between points in the State of Florida, provide themselves with sufficient copies of **HOUSEHOLD GOODS TARIFF No. 1** to comply with this Order.

Copies of **HOUSEHOLD GOODS TARIFF No. 1** will be on file in the office of the Railroad Commission at Tallahassee, Fla., and will be open to public inspection at all times, and copies of said Tariff for the use of carriers in compliance with

this Order may be secured from the publishing Agents, Leo P. Kitchen and Dan R. Schwartz, 302, Atlantic National Bank Building, Jacksonville, Fla.

It is further ORDERED that HOUSEHOLD GOODS TARIFF NO. 1 shall become effective on the 15th day of July, 1937, and all other Household Goods Tariffs in conflict therewith are hereby canceled, effective July 15th, 1937.

DONE AND ORDERED by the Railroad Commissioners of the State of Florida in session at their office in the City of Tallahassee, Florida, this 3rd day of June 1937.

ORDER NO. 1012,

DOCKET NO. 322.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: COMPLAINT AGAINST W. H. TOMPKINS COMPANY OF NASHVILLE, TENNESSEE, AS TO VIOLATIONS OF THE LAW AND RULES AND REGULATIONS OF THE RAILROAD COMMISSION.

1. By Order No. 1008 dated April 9, 1937, W. H. Tompkins Company was found guilty of certain violations of the law and of the rules and regulations of the Railroad Commission, and penalties were assessed against said company of revocation of its Certificate and a fine in the sum of \$200.00.

It now appearing that the sum of \$200.00 imposed in said Order has been paid, and the Commission having accepted payment of said fine as full satisfaction of all penalties fixed in said Order:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the Citation issued against W. H. Tompkins Company of Nashville, Tennessee, has been fully satisfied and the same is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 21st day of May 1937.

ORDER NO. 1013,

**DOCKETS NOS. 100-13
100-121.**

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: TERMINAL INTERLINE TRAFFIC AND ROUTING
AGREEMENT BY AND BETWEEN TAMiami TRAIL
TOURS, INC., OF TAMPA, FLORIDA, AND FLORIDA
MOTOR LINES CORPORATION OF JACKSONVILLE,
FLORIDA, EXECUTED ON THE 4TH DAY OF JUNE, 1937.**

1. Tamiami Trail Tours, Inc., and Florida Motor Lines Corporation, operating as common carriers of passengers under Certificates from the Railroad Commission of Florida, having agreed each with the other that permanent interline relations should be established for the betterment and improvement of the services and schedules of each in order that efficient transportation may be achieved in the interest of the public, and that schedules may be directly coordinated and duplicate and parallel service and operations eliminated and damaging and destructive competitive practices avoided, have entered into a terminal interline traffic and routing agreement and filed the same before this Commission for its approval.

2. The Commission having carefully considered this agreement and being in sympathy with the declared purposes of the contracting parties, and the agreement itself in Sub-paragraph (j) of Article X recognizing that said agreement has been entered into subject to the authority of the Florida Railroad Commission to continue to regulate and enforce the law and the rules of this Commission with a view to effective and efficient operation:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the attached Terminal Interline Traffic and Routing Agreement executed on June 4th, 1937, by and between Tamiami Trail Tours, Inc., and Florida Motor Lines Corporation, be and the same is hereby **APPROVED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 9th day of June 1937.

ORDER NO. 1014,

DOCKET NO. 100-108.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: TERMINAL TRANSFER COMPANY OF TAMPA,
FLORIDA (ALSO KNOWN AS TERMINAL VAN LINES)
FAILURE TO MAKE MONTHLY REPORTS AND TO PAY
MILEAGE TAXES. REVOCATION OF AUTHORITY TO
OPERATE.**

1. By Order No. 282 dated December 19, 1930, Terminal Transfer Company of Tampa, Florida, was authorized to operate in freight service hauling household goods only in interstate commerce between Tampa and the Georgia State line, and also from Tampa to the Alabama State line.

2. By Order No. 309, dated April 16, 1931, authority of Terminal Transfer Company to operate in freight service for the hauling of household goods interstate only was extended to embrace hauling of household goods from Tampa to various points in the State of Florida in intrastate commerce.

3. It now appears from the reports from the office of the Comptroller of the State of Florida, in a letter dated March 15, 1937, that no mileage tax report has been filed by Terminal Transfer Company and/or Terminal Van Lines, since June 1936, and that there was at that time due the State of Florida a total of \$77.36 mileage taxes. It further appears that this company has never secured tags from the Railroad Commission, and has failed to make regular monthly reports, and now claims that it is doing only interstate work and doing all of that out of its main office in Washington.

4. At the time that this company was authorized to operate as a household goods carrier it made a deposit with the Comptroller of the State of Florida of \$75.00 as an advance payment upon the mileage tax required to be paid by auto transportation companies under the statute existing at that time.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the authority contained in Orders No. 282 and 309 for Terminal Transfer Company and/or Terminal Van Lines to operate over the highways of the State of Florida transporting house-

hold goods be and the same is hereby REVOKED, and Order Nos. 282 and 309 be and the same are hereby CANCELED.

It is further ORDERED that the Comptroller of the State of Florida is hereby directed to apply the deposit of \$75.00 now held in his office to the payment of the mileage taxes due by the Terminal Transfer Company and/or Terminal Van Lines.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 13th day of May 1937.

ORDER NO. 1015,

DOCKET NO. 100-84.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF F. A. NIGHTINGALE, OPERATING AS TROPICAL TRANSFER COMPANY FOR TRANSFER OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 78 TO JOHN P. NUTT COMPANY. CONTRACT CARRIERS OF PETROLEUM PRODUCTS.

1. Pursuant to Notice No. 513, this matter came on for hearing before the Railroad Commission of the State of Florida on December 10, 1935. It appears that by Order No. 80, recorded in Order Book "A" page 159 Certificate of Public Convenience and Necessity No. 78 was issued to F. A. Nightingale, doing business as Tropical Transfer Company authorizing the said Tropical Transfer Company to operate as a contract carrier of petroleum products of the Gulf Refining Company between Jacksonville, Florida and certain points in Georgia and Florida. The present application sought authority to transfer this Certificate to John P. Nutt Company of Jacksonville, Florida. It is the policy of the Railroad Commission not to transfer Certificates of Public Convenience and Necessity authorizing contract carriage.

2. It further appears that John P. Nutt Corporation, formerly operated as John P. Nutt Company, secured a contract from the Gulf Refining Company under which it transports for said company petroleum products in the State of Florida. This contract was approved by Order No. 862 dated May 1, 1936.

3. The John P. Nutt Corporation having taken over the transportation of petroleum products for the Gulf Refining Company, and F. A. Nightingale, operating as Tropical Transfer Company, having ceased its operation:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that Certificate of Public Convenience and Necessity No. 78, authorizing F. A. Nightingale, operating as Tropical Transfer Company, to transport petroleum products for Gulf Refining Company from Jacksonville to various points in the State of Florida and Georgia be and the same is hereby **CANCELED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 16th day of March 1937.

ORDER NO. 1016,

DOCKET NO. 443.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF ENGLISH TRANSFER & STORAGE COMPANY OF JEFFERSON, TEXAS, FOR CERTIFICATE OF REGISTRATION AS AN INTERSTATE MOTOR CARRIER TRANSPORTING HOUSEHOLD GOODS THROUGH THE STATE OF FLORIDA FROM BRUNSWICK, GEORGIA, TO TEXAS.

1. English Transfer & Storage Company of Jefferson, Texas, filed its application for Certificate of Registration as an interstate motor carrier and asked authority of this Commission to operate over the highways of the State using U. S. Highway No. 90 and U. S. Highway No. 17, for the purpose of handling household goods interstate between Port Arthur, Texas, and Brunswick, Georgia. It did not desire to pick up and deliver any household goods within the State of Florida, nor to transact any business in said State, but only desired to use the highways of the State for its own convenience and because said highways embrace a shorter route than is now being used through the States of Georgia and Alabama.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that that the application for Certificate of Registration of English Transfer & Storage Company of Jefferson, Texas, to use the

highways of the State as a convenience to it in transporting household goods between Texas and points in Georgia be and the same is hereby DENIED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 10th day of March, 1937.

ORDER NO. 1017,

DOCKET NO. 100-143.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF KENNELLY TRANSFER & STORAGE COMPANY, INC., OF JACKSONVILLE, FLORIDA, FOR AN EXTENSION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 134 AUTHORIZING OCCASIONAL TRIPS OUT OF JACKSONVILLE TO VARIOUS POINTS THROUGHOUT THE STATE OF FLORIDA:

1. Pursuant to Notice No. 538 dated March 5, 1937 this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on March 24, 1937. Then and there appeared the following:

Wayne H. Perrine, representing the applicant, Kennelly Transfer & Storage Company, Inc.; W. J. Oven for Receivers of Seaboard Air Line Railway Company; F. B. Langley for Atlantic Coast Line Railroad Company; A. G. McArthur, representing McJunkin Truck Line; J. A. Bliss and Edward Drake, Jr., representing St. Johns River Line Company; Leo P. Kitchen and Dan R. Schwartz, representing L. & L. Freight Lines, Inc., and Geo. A. K. Sutton, representing Atlantic Coast Line Railroad Company.

2. On November 5, 1930, Certificate of Public Convenience and Necessity was issued to Kennelly Transfer & Storage Company authorizing it to engage in the hauling of heavy or bulky materials situated in isolated places, such as the moving of heavy round timber, boilers and other heavy articles from places that are inaccessible to and that the average common carrier motor line does not desire to transport. The applicant is also engaged in local transfer business and the

moving of heavy articles within the city of Jacksonville, Florida, and now desires an extension of its Certificate to haul these heavy articles to various points throughout the State of Florida for the convenience of its regular customers. The applicant desires to furnish this service for emergency work, and in those cases where the local freight truck line is unable to furnish such service due to the weight, length and other circumstances necessitating prompt movement of freight for the convenience of the public. The number of trips will be limited to the demand for this special service. Applicant expects to haul building materials, contractor's equipment, show equipment, farm equipment and machinery, second hand household goods, fertilizer, pipe, boats, tanks and structural steel.

3. A hearing has been had on this matter and the granting of this extension was strongly protested by the common carriers by motor and by rail. The Commission has carefully considered the evidence and is of opinion that there might be some few cases in which a real emergency existed that could be served by an operation of the character proposed by the applicant. That is to say, if there was a necessity for a transportation service that neither the rail lines nor the certificated motor carriers could furnish, this would create an emergency operation that might well be served by the applicant in the interest of the public. However, it would be necessary that the offer of such transportation should first be made to the rail carriers or to the common carrier motor companies, and, if they fail or refuse to accept the assignment, it could then be made by the applicant. This necessarily means that the transportation of building materials, fertilizer, pipe and other small article that are usually and generally transported by regular common carriers by rail and by motor should be eliminated from consideration by this Commission in this application. Only the larger articles, the moving of which might create an emergency necessitating prompt delivery to places not served by the regular common carriers, are involved in this application.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commissioners of the State of Florida that the application of Kennelly Transfer & Storage Company, Inc., for an extension of its Certificate of Public Convenience and Necessity No. 134 to transport second-hand household goods under the present rules of the Commission from Jacksonville to various points in the State be and the same is hereby **GRANTED**.

It is further ORDERED that Certificate of Public Convenience and Necessity No. 134 now held by Kennelly Transfer & Storage Company, Inc., be further extended to include the transportation of heavy contractor's equipment, show equipment, farm equipment and machinery, boats, tanks and extra heavy steel for structural purposes from Jacksonville to points not served by either rail or motor carriers. Provided further, that Kennelly Transfer & Storage Company, Inc., also be permitted to transport the above mentioned and described articles to points served by rail and motor carriers if said rail and motor carriers shall refuse to accept and move such articles to such points after such shipments have been offered to said rail and motor carriers.

DONE AND ORDERED by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 28th day of April 1937.

ORDER NO. 1018,

DOCKETS NOS. 100-121
100-124.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: JOINT APPLICATION OF FLORIDA MOTOR
LINES CORPORATION AND GULF CRESCENT MOTOR
LINES, INC., FOR APPROVAL OF AN INTERLINE
OPERATING AGREEMENT BETWEEN SAID COMPANIES.

1. This matter came on for consideration before the Railroad Commissioners on March 24th, 1937. Mr. Pickens Coles appeared for Tamiami Trail Tours, Inc., and requested a postponement of further consideration of the matter. This motion was denied and the Commission proceeded to consider the operating agreement.

2. Under the interline operating agreement the Florida Motor Lines Corporation agrees to supply all motor vehicle equipment and all capital sums required for the inauguration and support of the schedules to be operated by Gulf Crescent Motor Lines, Inc., between Tallahassee and Tampa via Williston and Dunnellon, and supervise such operations in the same manner as its own operations are now conducted in the State of Florida. Florida Motor Lines Corporation further agrees that it will furnish all reasonable connections at Williston and Dunnellon, serving Ocala and Lake Region

points including Leesburg, Eustis, Mt. Dora, Tavares and Orlando, in order to make schedules now operated to and from Tallahassee available to Central Florida points. There was a further agreement between the companies as to division of revenue for such operations. There was no question of schedules contained in the interline operating agreement and that matter was left for further consideration by the Commission.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the interline operating agreement between Florida Motor Lines Corporation and Gulf Crescent Motor Lines, Inc., be and the same is hereby **APPROVED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 24th day of March 1937.

CHAIRMAN CARTER OPPOSES THE APPROVAL OF SUCH OPERATING AGREEMENT UNTIL THE MANDATE OF THE SUPREME COURT HAS COME DOWN AND THE COMMISSION CAN CONSIDER ALL MATTERS INVOLVING THESE OPERATIONS AS A WHOLE.

ORDER NO. 1019,

DOCKET NO. 100-13.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: APPLICATION OF TAMAMI TRAIL TOURS, INC.,
FOR AUTHORITY TO SUSPEND OPERATIONS BE-
TWEEN ARCADIA AND OKEECHOBEE OVER ROADS
NOS. 18 AND 8.**

1. By Order No. 885 dated August 18, 1936, Tamiami Trail Tours, Inc., was ordered to furnish service into Okeechobee on a regular schedule from Arcadia over Roads Nos. 18 and 8.
2. It now appears that the operation of this schedule shows a total revenue since January 1, 1937 of \$264.47, or an average revenue per trip of less than \$3.00. That this operation has resulted in a loss of \$25.00 per trip.
3. Tamiami Trail Tours, Inc., now applies to the Commission for authority to suspend the operation between Arcadia

and Okeechobee over Roads Nos. 18 and 8 with the understanding that all freight offered for Okeechobee will be accepted and forwarded via Elliott-Young Consolidated by interchange at Clewiston. This will result in delivery at Okeechobee on the afternoon of the first day or early in the morning of the second day. Tamiami Trail Tours, Inc., has exhibited to the Commission a number of letters from its shippers agreeing to this request.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that Tamiami Trail Tours, Inc., be and it is hereby permitted to suspend operations between Arcadia and Okeechobee over State Roads Nos. 18 and 8 for a period of ninety days from the date hereof and/or until the further order of this Commission.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 17th day of June, 1937.

ORDER NO. 1020,

DOCKET NO. 100-13.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: APPLICATION OF TAMIAMI TRAIL TOURS, INC.,
TO SUSPEND OPERATIONS FROM LABELLE SOUTH
TO IMMOKALEE OVER STATE ROAD NO. 164 UNTIL
SUCH TIME AS THE ROAD IS IN CONDITION FOR
OPERATION.**

1. Tamiami Trail Tours, Inc., operates a freight service under Certificate of Public Convenience and Necessity No. 28, and is required to operate over State Highway No. 164 between Carnestown and LaBelle. All points on this road intermediate between LaBelle and Carnestown are served as off-line stations. It is represented to the Commission that the road from LaBelle to Immokalee is practically impassable and at times is in very bad condition. It is a sand clay road and operation over it is detrimental to the equipment. In addition, applicant represents that for the first five months of 1937 shipments moving to points between LaBelle and Immokalee showed a revenue of \$102.56, which is an average revenue per trip of approximately \$2.50. That the applicant is now losing approximately \$9.00 per trip in addition to the exceptional wear and tear on its equipment. Applicants re-

quests that it be authorized to suspend operations over a portion of this highway between LaBelle and Immokalee until such time as the road is suitable for efficient operation.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Tamiami Trail Tours, Inc., is authorized to suspend operations from LaBelle south to and including Immokalee over State Road No. 164 until such time as the road is improved to such an extent that it may be used by the ordinary type of motor carrier equipment, or until the further order of this Commission.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 17th day of June 1937.

ORDER NO. 1021.

DOCKET NO. 100-13.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: PETITION OF TAMIAMI TRAIL TOURS, INC.,
TO SUSPEND ITS OPERATION IN COMMON CARRIAGE
OF PASSENGERS AND LIGHT EXPRESS BETWEEN
TAMPA AND LAKE LAND VIA MULBERRY OVER STATE
ROAD NO. 23 AND COUNTY ROADS.

1. The Motion of Tamiami Trail Tours, Inc., that it be allowed to suspend its operation in common carriage of passengers and light express between Tampa and Lakeland via Mulberry shows that it operates in common carriage of passengers and light express between Tampa and Fort Myers via Mulberry, Lakeland, Bartow, Wauchula and Arcadia under Certificate of Public Convenience and Necessity No. 28. That on June 4, 1937, Tamiami Trail Tours, Inc., and Florida Motor Lines Corporation entered into a terminal interline traffic and routing agreement, and such agreement has been approved by this Commission; that under the terms of this agreement Tamiami Trail Tours, Inc., has agreed to deliver to Florida Motor Lines Corporation at Lakeland for carriage to Tampa all passengers originating on said route and at Fort Myers or beyond destined for Tampa.

2. Tamiami Trail Tours, Inc., now applies to this Commission for authority to suspend operation between Tampa

and Lakeland via Mulberry over State Road No. 23 and County Roads in the common carriage of passengers and light express.

3. The Commission has considered this Motion and being of opinion that the traveling public will be more efficiently served between Tampa and Fort Myers via Lakeland, Bartow, Wauchula and Arcadia by using the joint services of Florida Motor Lines Corporation between Tampa and Lakeland and Tamiami Trail Tours, Inc., between Lakeland and Fort Myers, and that the operating rights of Tamiami Trail Tours, Inc., over State Highway No. 23 and County Roads between Tampa and Lakeland should be protected.

It is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Tamiami Trail Tours, Inc., is authorized to suspend operation between Tampa and Lakeland via Mulberry over State Road No. 23 and County Roads until the further order of this Commission.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 17th day of June 1937.

ORDER NO. 1022,

DOCKET NO. 100-13.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: MOTION OF TAMIAMI TRAIL TOURS, INC.,
TO WITHDRAW ITS APPLICATION TO OPERATE IN
COMMON CARRIAGE OF PASSENGERS AND LIGHT EX-
PRESS OVER CERTAIN ROUTES NOW BEING SERVED
BY FLORIDA MOTOR LINES CORPORATION.

1. On April 14, 1937 Tamiami Trail Tours, Inc., filed its application to operate in common carriage of passengers and light express over certain routes now being served by Florida Motor Lines Corporation.

2. On June 4, 1937 Tamiami Trail Tours, Inc., and Florida Motor Lines Corporation entered into a certain terminal interline traffic and routing agreement which said agreement was approved by this Commission on June 9, 1937.

3. Tamiami Trail Tours, Inc., now moves this Commission for authority to withdraw its application covering the com-

mon carriage of passengers and light express over these routes.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Motion of Tamiami Trail Tours, Inc., to withdraw its application to operate in common carriage of passengers and light express over certain routes now served by Florida Motor Lines Corporation filed with this Commission on April 14, 1937, be and the same is hereby **GRANTED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 17th day of June 1937.

ORDER NO. 1023,

DOCKET NO. 100-121.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF FLORIDA MOTOR LINES CORPORATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING OPERATION IN MOTOR BUS COMMON CARRIAGE OVER STATE ROADS 23, 5 AND 27, AND TAMiami TRAIL BETWEEN TAMPA AND MIAMI VIA BRADENTON, SARASOTA, PUNTA GORDA AND FORT MYERS, AND OVER STATE ROADS NOS. 2 AND 86, BARTOW TO PUNTA GORDA VIA FORT MEADE, WAUCHULA AND ARCADIA.

1. On the 12th day of April 1937 Florida Motor Lines Corporation filed its application with this Commission for an extension of its Certificate of Public Convenience and Necessity to operate in motor bus common carriage over certain highways and between certain points now served by Tamiami Trail Tours, Inc., as shown in said application.

2. On June 4, 1937, Florida Motor Lines Corporation and Tamiami Trail Tours, Inc., entered into a certain interline terminal traffic and routing agreement with said agreement was approved by this Commission on June 9, 1937.

3. Florida Motor Lines Corporation through its President now files a Motion with this Commission to dismiss its said application.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that

the Motion of Florida Motor Lines Corporation to dismiss its application to operate in motor bus common carriage over State Roads Nos. 23, 5 and 27 and Tamiami Trail between Tampa and Miami via Bradenton, Sarasota, Punta Gorda and Fort Myers, and over State Roads Nos. 2 and 86 between Bartow to Punta Gorda via Fort Meade, Wauchula and Arcadia, be and the same is hereby GRANTED, and said application is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 17th day of June 1937.

ORDER NO. 1024,

DOCKET NO. 100-13.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF TAMIAMI TRAIL TOURS, INC.,
FOR CHANGE IN CERTAIN OF ITS SCHEDULES BE-
TWEEN LAKELAND AND FORT MYERS AND BETWEEN
GEORGIA-FLORIDA STATE LINE AND TAMPA, FLORIDA.

1. In view of agreement between Tamiami Trail Tours, Inc., and Florida Motor Lines Corporation by which passengers are delivered to Florida Motor Lines Corporation at Lakeland, Florida, for movement into Tampa, it became necessary for Tamiami Trail Tours, Inc., to make certain changes in schedule between Lakeland and Fort Myers, and Tamiami Trail Tours, Inc., has asked permission of this Commission to make such changes.

2. Tamiami Trail Tours, Inc., also desires to make certain changes in its schedule between Georgia-Florida State line and Tampa which will be for the benefit of the public.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the attached schedules of Tamiami Trail Tours, Inc., between Lakeland and Fort Myers and between Georgia-Florida State line and Tampa, effective June 22, 1937, be and the same are hereby APPROVED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 17th day of June 1937.

ORDER NO. 1025,

DOCKET NO. 216.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: APPLICATION OF L. R. POWELL, JR., AND
HENRY W. ANDERSON, AS RECEIVERS OF SEABOARD
AIR LINE RAILWAY COMPANY, A CORPORATION, FOR
A CERTIFICATE OF PUBLIC CONVENIENCE AND NEC-
CESSITY TO TRANSPORT FREIGHT, EXPRESS AND/OR
UNITED STATES MAIL IN INTRASTATE COMMERCE
ONLY BY MOTOR VEHICLE DAILY BETWEEN JACK-
SONVILLE AND LIVE OAK, FLORIDA, OVER STATE
ROAD NO. 1, U. S. HIGHWAY NO. 90 UNDER THE PRO-
VISIONS OF COMMITTEE SUBSTITUTE FOR HOUSE
BILL NO. 158 (CHAPTER 18027, ACTS OF 1937) APPROV-
ED BY THE GOVERNOR ON JUNE 4, 1937.**

1. On March 15, 1937 the applicants filed an application for an extension of their Certificate of Public Convenience and Necessity No. 183 seeking authority to operate daily in the transportation of freight and express only between Jacksonville and Live Oak, Florida, by motor vehicle as a substituted service for their rail service, and such operation to be confined to the transportation of freight and express between stations only. Said application was set for hearing before this Commission under Notice No. 540 for April 20, 1937. When said application was called hearing upon same was continued to a further date and later was indefinitely continued until such time as might be fixed by this Commission.

2. Since the filing of said application the legislature of the State of Florida has adopted what is known as Committee Substitute for House Bill No. 138, and said Act was approved by the Governor on June 4, 1937, and is now a law of the State of Florida.

3. Applicants have now filed with this Commission a motion that they be allowed to file an amended application in lieu of the original application heretofore filed on said March 15, 1937, and attached the said amended application to their said motion. The amended application seeks authority to operate motor vehicles in the transportation of freight, express and/or United States mail in intrastate commerce only between Jacksonville and Live Oak, Florida, over State Road No. 1, U. S. Highway No. 90, the said amended application

being drawn pursuant to the provisions of said Committee Substitute for House Bill No. 138. Upon consideration of said motion the same is hereby GRANTED, and the matter now comes up for consideration upon the amended application.

4. Committee Substitute for House Bill No. 138 (Chapter 18027, Acts of 1937) amended Section 27 of Chapter 14764, Laws of Florida, Acts of 1931. The old Section 27 of Chapter 14764 was as follows:

"SECTION 27. Railroad Companies operating in this State are hereby authorized to operate motor vehicles for hire upon highways provided they obtain from the Commission a certificate under this Act, and provided further that they shall be as to said motor vehicles motor carriers under this Act and subject to all the provisions of this Act; and railroad companies operating in this State are also authorized to own the whole or any part of the capital stock of a corporation or corporations organized or operated as a motor carrier. But no railroad company, nor any company whose stock is owned by a railroad company shall be granted a Certificate of Public Convenience and Necessity without proof such as would be required by an independent motor carrier."

As amended by Committee Substitute for House Bill No. 138, (Chapter 18027, Acts of 1937) the new Section 27 reads as follows:

"SECTION 27. Railroad companies, their receivers and/or trustees operating in this State are hereby authorized to operate motor vehicles for hire upon the highways of this State, provided they obtain from the Commission a certificate under this Act, and provided further that they shall be, as to said motor vehicles, motor carriers under this Act and subject to all the provisions of this Act; and railroad companies, their receivers and/or trustees operating in this State are also authorized to own the whole or any part of the capital stock of a corporation or corporations organized or operating as a motor carrier. Except as hereinafter provided, no railroad company, its receivers and/or trustees, nor any company whose stock is owned by a railroad company, its receivers and/or trustees, shall be granted a Certificate of Public Convenience and Necessity without proof such as would be required by an independent

motor carrier; Provided, however, that upon the making of proper application therefor by any such railroad company, its receivers and/or trustees, or by any company other than a railroad company, the majority of whose stock is owned by any such railroad company, its receivers and/or trustees, the Commission shall, as a matter of right and without a hearing, grant a Certificate of Public Convenience and Necessity to any such railroad company, or to the receivers and/or trustees of such company, or to any such company other than a railroad company, the majority of whose stock is owned by any such railroad company, its receivers and/or trustees, to operate for the transportation of freight, express and/or United ??? ?

5. Upon consideration of the amended application filed under provisions of the above quoted section the Commission finds:

- (a) That L. R. Powell, Jr., and Henry W. Anderson are Receivers of Seaboard Air Line Railway Company, a corporation, which company is a common carrier by rail operating in this State.
- (b) That such receivers have made a proper application to operate motor vehicles for the transportation of freight, express and/or United States mail over State Road No. 1, U. S. Highway No. 90.
- (c) That said State Road No. 1, U. S. Highway No. 90 is the most practical route located nearest to the rail line of the Seaboard Air Line Railway Company, and the route which is generally and usually used between the communities served by said rail line between Jacksonville and Live Oak, Florida.
- (d) The Communities of Jacksonville and Live Oak, Florida, and intermediate points are connected by and served by the rail lines of the Seaboard Air Line Railway Company.
- (e) That the applicants have attached to their application a schedule upon which it proposed to operate trucks as between points it desires to serve under said application.
- (f) Applicants have agreed that the rates and charges for transportation by motor vehicle under said ap-

plication shall, and will be, the same which their receivers are now authorized to charge for the transportation by rail.

- (g) That under the terms and provisions of Committee Substitute for House Bill No. 138 (Chapter 18027, Acts of 1937) this Commission is required, as a matter of right, and without hearing, to grant a Certificate of Public Convenience and Necessity for the service sought.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of L. R. Powell, Jr., and Henry W. Anderson, as Receivers of Seaboard Air Line Railway Company, for a Certificate of Public Convenience and Necessity authorizing them to operate motor vehicles for the transportation of freight, express and/or United States mail between Jacksonville and Live Oak, Florida, serving intermediate points over State Road No. 1, U. S. Highway No. 90, under the provisions of Committee Substitute House Bill No. 138, (Chapter 18027, Acts of 1937) be and the same is hereby **GRANTED**.

It is further **ORDERED** that Time Table No. 6, Schedule No. 1, attached to the application, a copy of which is hereto attached and made a part of this Order, is hereby **APPROVED** as the schedule upon which they shall conduct their said operation.

It is further **ORDERED** that the rates and charges for the transportation by motor vehicles of the commodities under this application shall be the same as those which the Receivers of the Seaboard Air Line Railway Company are now authorized to charge for the transportation of the same commodities by rail.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 1st day of July 1937.

ORDER NO. 1026,

DOCKET NO. 216.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF L. R. POWELL, JR., AND HENRY W. ANDERSON, AS RECEIVERS OF SEABOARD AIR LINE RAILWAY COMPANY, A CORPORATION, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO TRANSPORT FREIGHT, EXPRESS AND/OR UNITED STATES MAIL IN INTRASTATE COMMERCE ONLY BY MOTOR VEHICLE DAILY BETWEEN LIVE OAK, FLORIDA, AND RIVER JUNCTION, FLORIDA, OVER STATE ROAD NO. 1, U. S. HIGHWAY NO. 90 UNDER THE PROVISIONS OF COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 138 (CHAPTER 18027, ACTS OF 1937) APPROVED BY THE GOVERNOR ON JUNE 4, 1937.

1. On March 15, 1937 the applicants filed an application for an extension of their Certificate of Public Convenience and Necessity No. 183 seeking authority to operate daily in the transportation of freight and express only between Live Oak, Florida, and River Junction, Florida, by motor vehicle as a substituted service for their rail service, and such operation to be confined to the transportation of freight and express between stations only. Said application was set for hearing before this Commission under Notice No. 540 for April 20, 1937. When said application was called hearing upon same was continued to a further date and later was indefinitely continued until such time as might be fixed by this Commission.

2. Since the filing of said application the legislature of the State of Florida has adopted what is known as Committee Substitute for House Bill No. 138, and said Act was approved by the Governor on June 4, 1937, and is now a law of the State of Florida.

3. Applicants have now filed with this Commission a motion that they be allowed to file an amended application in lieu of the original application heretofore filed on said March 15, 1937, and attached the said amended application to their said motion. The amended application seeks authority to operate motor vehicles in the transportation of freight, express and/or United States mail in intrastate commerce only between Live Oak and River Junction, Florida, over State

Road No. 1, U. S. Highway No. 90, the said amended application being drawn pursuant to the provisions of said Committee Substitute for House Bill No. 138. Upon consideration of said motion the same is hereby GRANTED, and the matter now comes up for consideration upon the amended application.

4. Committee Substitute for House Bill No. 138 (Chapter 18027, Acts of 1937) amended Section 27 of Chapter 14764, Laws of Florida, Acts of 1931. The old Section 27 of Chapter 14764 was as follows:

"SECTION 27. Railroad Companies operating in this State are hereby authorized to operate motor vehicles for hire upon highways provided they obtain from the Commission a Certificate under this Act, and provided further that they shall be as to said motor vehicles motor carriers under this Act and subject to all the provisions of this Act; and railroad companies operating in this State are also authorized to own the whole or any part of the capital stock of a corporation or corporations organized or operated as a motor carrier. But no railroad company, nor any company whose stock is owned by a railroad company shall be granted a Certificate of Public Convenience and Necessity without proof such as would be required by an independent motor carrier."

As amended by Committee Substitute for House Bill No. 138, (Chapter 18027, Acts of 1937) the new Section 27 reads as follows:

"SECTION 27. Railroad companies, their receivers and/or trustees operating in this State are hereby authorized to operate motor vehicles for hire upon the highways of this State, provided they obtain from the Commission a certificate under this Act, and provided further that they shall be, as to said motor vehicles, motor carriers under this Act and subject to all the provisions of this Act; and railroad companies, their receivers and/or trustees operating in this State are also authorized to own the whole or any part of the capital stock of a corporation or corporations organized or operating as a motor carrier. Except as hereinafter provided, no railroad company, its receivers and/or trustees, nor any company whose stock is owned by a railroad company, its receivers and/or trustees, shall be granted a Certificate

of Public Convenience and Necessity without proof such as would be required by an independent motor carrier; Provided, however, that upon the making of proper application therefor by any such railroad company, its receivers and/or trustees, or by any company other than a railroad company, the majority of whose stock is owned by any such railroad company, its receivers and/or trustees, the Commission shall, as a matter of right and without a hearing, grant a Certificate of Public Convenience and Necessity to any such railroad company, or to the receivers and/or trustees of such company, or to any such company other than a railroad company, the majority of whose stock is owned by any such railroad company, its receivers and/or trustees, to operate for the transportation of freight, express and/or United States mail over the highways and public roads of this State, using only the most practicable route located nearest to its rail lines and which is generally and/or usually used between the communities served by its rail lines, said route as herein defined to be determined by the Railroad Commission, motor vehicles between and within communities which are connected by and served by the rail lines of any such railroad company, but not elsewhere. The rates and charges for transportation by motor vehicles, as in this section provided, shall be the same as those which any such railroad company, its receivers and/or trustees may be authorized to charge if such transportation had been solely by rail; and said railroad company, its receivers and/or trustees, and any company in which such railroad company, its receivers and/or trustees, may own a majority of the stock, engaged in such operation, shall to the extent of such operation, be liable for the same fees and taxes as are prescribed for other certificated motor carriers.

Any certificate granted by the Commission as a matter of right under the foregoing proviso shall be granted subject to the following condition, viz: When any application under this proviso is filed with the Railroad Commission of Florida the applicant shall attach thereto the schedules upon which it proposes to operate trucks, and such schedules once being filed shall not be changed or enlarged without the authority of the Railroad Commission after first

making application to it and having such hearing thereon as the said Commission may require.

No rate or classification applicable to the service applied for in force and effect as prescribed or allowed by the Railroad Commission of Florida when such application is made, shall be lowered below the rate or classification of any competing truck lines over the route sought to be served by the applicant without the Railroad Commission of Florida first having heard an application so to do, upon due notice as is now or may hereafter be required of any other certificated truck line.

When a certificate granted by the Railroad Commission under the provisions of this Section to a company in which a railroad company may own a majority of the stock has been cancelled or revoked by the Commission for violation of law of any lawful order, rule or regulation of the Commission, no certificate shall be granted to any other company in which said railroad company may own a majority of the stock to operate over that portion of the route as to which the certificate may have been cancelled."

5. Upon consideration of the amended application filed under the provisions of the above quoted section the Commission finds:

- (a) That L. R. Powell, Jr., and Henry W. Anderson are Receivers of Seaboard Air Line Railway Company, a corporation, which company is a common carrier by rail operating in this State.
- (b) That such receivers have made a proper application to operate motor vehicles for the transportation of freight, express and/or United States mail over State Road No. 1, U. S. Highway No. 90.
- (c) That said State Road No. 1, U. S. Highway No. 90 is the most practical route located nearest to the rail line of the Seaboard Air Line Railway Company, and the route which is generally and usually used between the communities served by said rail line between Live Oak and River Junction, Florida.
- (d) The communities of Live Oak and River Junction, Florida, and intermediate points are connected by and served by the rail lines of the Seaboard Air Line Railway Company.

- (e) That the applicants have attached to their application a schedule upon which it proposed to operate trucks as between points it desires to serve under said application.
- (f) Applicants have agreed that the rates and charges for transportation by motor vehicle under said application shall, and will be, the same which their receivers are now authorized to charge for the transportation by rail.
- (g) That under the terms and provisions of Committee Substitute for House Bill No. 138 (Chapter 18027, Acts of 1937) this Commission is required, as a matter of right, and without a hearing, to grant a Certificate of Public Convenience and Necessity for the service sought.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of L. R. Powell, Jr., and Henry W. Anderson, as Receivers of Seaboard Air Line Railway Company, for a Certificate of Public Convenience and Necessity authorizing them to operate motor vehicles for the transportation of freight express and/or United States mail between Live Oak and River Junction, Florida, serving intermediate points over State Road No. 1, U. S. Highway No. 90, under the provisions of Committee Substitute for House Bill No. 138, (Chapter 18027, Acts of 1937) be and the same is hereby **GRANTED**.

It is further **ORDERED** that Time Table No. 6, Schedule No. 1, attached to the application, a copy of which is hereto attached and made a part of this Order, is hereby **APPROVED** as the schedule upon which they shall conduct their said operation.

It is further **ORDERED** that the rates and charges for the transportation by motor vehicles of the commodities under this application shall be the same as those which the Receivers of the Seaboard Air Line Railway Company are now authorized to charge for the transportation of the same commodities by rail.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 1st day of July 1937.

ORDER NO. 1027,

DOCKETS NOS. 100-10
100-29.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: JOINT PETITION OF ST. JOHNS RIVER LINE COMPANY AND STAR TRUCK LINE, INC., AND THE OWNERS OF STAR TRUCK LINE, FOR APPROVAL OF LEASE AGREEMENT OF STAR TRUCK LINE, INC., TO ST. JOHNS RIVER LINE COMPANY, AND ALSO FOR APPROVAL OF SALE AND TRANSFER OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 37, OWNED BY STAR TRUCK LINE, INC., TOGETHER WITH ALL OF THE ASSETS OF SAID COMPANY TO ST. JOHNS RIVER LINE COMPANY.

1. This matter came on for consideration before the Railroad Commission of the State of Florida on July 7th, 1937, upon the joint petition of St. Johns River Line Company and Star Truck Line, Inc., for approval of lease of the Star Truck Line, Inc., to St. Johns River Line Company.

Clifford T. Inglis represented St. Johns River Line Company.

C. H. Martin represented Star Truck Line, Inc.

2. The joint petition shows that St. Johns River Line Company and Star Truck Line, Inc., are both engaged in the common carriage of freight by motor vehicle throughout practically the same territory; that through sharp competition and seasonable business fluctuations Star Truck Line, Inc., though at present solvent, is in straitened financial condition, and continued operation of Star Truck Line, Inc., under such condition will probably cause it serious financial loss and eventual abandonment of its service; that an agreement has been entered into between these two companies to sell and transfer Certificate of Public Convenience and Necessity and all of the assets of Star Truck Line, Inc., to St. Johns River Line Company, and such consolidation and merger of the two companies would enable substantial operating economies to be effected, and duplication of investments and service to be avoided; that the necessary delay in securing approval from the proper regulatory bodies of such sale and transfer would entail additional financial loss and probably interruption of the operations of Star Truck Line, Inc.; that the parties are now desirous of leasing the properties of

the Star Truck Lines, Inc., to St. Johns River Line Company for immediate operation and control to be operated by St. Johns River Line Company under the name of Star Truck Line, Inc., until the parties to such sale and transfer can secure the approval of the proper authorities.

3. Upon consideration of the joint petition of St. Johns River Line Company and Star Truck Line, Inc., and of the lease agreement between said parties, the commission is of opinion that public interest will be served by the approval of such agreement until a hearing can be had to determine whether or not the sale and transfer of the Certificate of Public Convenience and Necessity, and of the assets of said Star Truck Line, Inc., to St. Johns River Line Company should be approved.

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the attached agreement executed July 6, 1937, by Star Truck Line, Inc., John Horvath and Alfred Bugna, as co-partners, trading and doing business as Star Truck Line, and Timothy Goodall in his individual capacity, and St. Johns River Line Company, be and the same is hereby **APPROVED**.

It is further **ORDERED** that St. Johns River Line Company is hereby authorized to take over the common carrier properties, operations and business of Star Truck Line, Inc., under the terms and conditions of the agreement attached hereto and made a part of this Order, and operate the same until the further order of this Commission.

It is further **ORDERED** that the joint petition of St. Johns River Line Company and Star Truck Line, Inc., and the owners of Star Truck Line, for the approval of sale and transfer of Certificate of Public Convenience and Necessity No. 37, and of the assets of the Star Truck Line, Inc., be set down for a hearing on a date to be hereafter fixed by this Commission.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of July 1937.

ORDER NO. 1028,

DOCKET NO. 455.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF FRANK M. HARRELL, DOING BUSINESS AS HARRELL TRANSFER & STORAGE FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A LIMITED COMMON CARRIER TRANSPORTING UNCRATED HOUSEHOLD GOODS, STORE FURNITURE AND FIXTURES AND MERCHANDISE COMPRISING THE STOCK OF GOODS OF THE STORE, THE FURNITURE AND FIXTURES OF WHICH ARE TO BE MOVED, FROM AND TO TALLAHASSEE, FLORIDA, TO VARIOUS POINTS IN THE STATE OF FLORIDA UNDER AMENDED RULE NO. 58.

1. Pursuant to Notice No. 551 dated July 13, 1937, this matter came on for hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on July 27, 1937 at 10 o'clock A. M.

J. V. Keen, Esq., appeared for the applicant. No one appeared in opposition to the application.

2. The testimony of the applicant showed that he had recently engaged in the local transfer business in Tallahassee, Florida, and had had many calls to transport loads of uncrated household goods in and out of Tallahassee. That he had sufficient motor vans to perform this service and was financially able to provide the same if authority was granted. The applicant further agreed to conform with and abide by all the tariffs and classifications and the rules and regulations of this Commission pertaining to such carriage, and to obey the statutes of the State of Florida governing the operation of auto transportation companies.

3. From the testimony of Mayor Wesson and of M. W. Green, Real Estate and Insurance, it appears that Tallahassee is growing in population and that there is a necessity for an adequately equipped transfer and storage company in the City of Tallahassee.

4. The Commission having considered the application, and the testimony adduced in support thereof, is of opinion that public convenience and necessity require the granting of the application.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of Frank M. Harrell, doing business as Harrell Transfer & Storage of Tallahassee, Florida, for a certificate of public convenience and necessity as a limited common carrier transporting household goods, store furniture and fixtures and the merchandise comprising the stock of the store, the furniture and fixtures of which are to be moved, into and out of Tallahassee, Florida, to various points in the State, be and the same is hereby APPROVED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 27th day of July 1937.

ORDER NO. 1029,

DOCKET NO. 400.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF RYDER TRUCKING COMPANY OF MIAMI, FLORIDA, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING THE TRANSPORTATION OF CEMENT AS A PRIVATE CONTRACT CARRIER UNDER CONTRACT WITH VARIOUS SUPPLY COMPANIES FROM MIAMI TO FORT LAUDERDALE, LAKE WORTH, WEST PALM BEACH AND FORT PIERCE OVER STATE HIGHWAY NO. 4.

1. Pursuant to Notice No. 529 the application of Ryder Trucking Company for a Certificate of Public Convenience and Necessity to transport freight under contract consisting of cement and goods, wares and merchandise for various builder's supply companies came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, on October 13, 1936 at 10 o'clock A. M. This hearing had formerly been set for September 17, 1936 by Notice No. 527 but was subsequently postponed to be heard on October 13, 1936.

APPEARANCES:

William J. Pruitt, Esq., for applicant.

W. J. Oven, Esq., for Receivers of Seaboard Air Line Railway.

Russell L. Frink, Esq., Attorney for Receivers of Florida East Coast Railway.

R. E. Parsons, Esq., Asst. Gen. Frt. Agent, Florida East Coast Railway.

William Gibb Smith for Portland Cement Company.

2. At this hearing it appeared that the applicant Ryder Trucking Company, had originally executed contracts with various parties agreeing to transport cement and cement products, and goods, wares and merchandise between Miami and various points along the East Coast of Florida. At the hearing applicant proffered certain letters written and signed by these various parties, and by Ryder Truck Company, in which they had changed the terms of the contracts to read "cement and cement products" and offered these letters as amendments to the original contracts. When the contracts, and the amendments thereto in the form of these letters, were offered in evidence, objections were offered on various grounds and motions made to dismiss the application.

3. The applicant asked that the Commission withhold its ruling upon these motions and permit Mr. Ryder to continue his testimony and then to grant a continuance until a time to be fixed by the Commission in order that the applicant might secure contracts that would conform to the rules of the Commission. This motion was granted, and at the conclusion of the testimony of the applicant this matter was continued to a date to be fixed by the Commission.

4. Pursuant to Notice No. 545 dated June 3, 1937, this matter was set down for further hearing before the Commission in the City Commission Room of the City Hall at Miami, Florida, at its session beginning on June 21, 1937. Pursuant to this notice the matter came on for hearing on June 23, 1937.

William J. Pruitt, Esq., appeared for the applicant.

Leo P. Kitchen & Dan R. Schwartz, appeared for L. & L. Freight Lines.

W. M. Thompson, Jr., Esq., for Seaboard Air Line Railway.

H. H. Lowery appeared for Tamiami Trail Tours.

5. At this hearing counsel for applicant amended the application so that the application would show that the applicant desired authority to haul only one product, that is

to say, cement. When this motion to amend was allowed the protestants withdrew opposition to the granting of the application. Thereupon properly executed contracts were offered in evidence specifying the transportation by Ryder Trucking Company of cement only for various parties as indicated by the contracts.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of H. F. Ryder, operating as Ryder Trucking Company, to transport cement under contract for Everglades Lumber Company, Fort Lauderdale; East Coast Lumber Company, West Palm Beach; Tarpon Lumber Company, Fort Lauderdale; Gate City Lumber Company, Fort Lauderdale; Rinker Rock & Sand Company, West Palm Beach; Clager & Helmick, Lake Worth; Logan-Moore Lumber Company, West Palm Beach; Flury & Crouch, West Palm Beach; and Butler Brothers Lumber Company of West Palm Beach, be and the same is hereby **GRANTED**.

It is further **ORDERED** that this Order shall be and become effective as of June 30, 1937.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 26th day of July, 1937.

ORDER NO. 1030,

DOCKET NO. 453.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF WM. L. BASS OF MIAMI, FLORIDA, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A CONTRACT CARRIER BY MOTOR VEHICLE TRANSPORTING SEA FOOD PRODUCTS AND GOODS, WARES AND MERCHANDISE OF THE DOXSEE COMPANY, INC., BROOKLYN, N. Y., FROM MIAMI TO TAMPA AND FROM TAMPA TO MARCO ISLAND, FLORIDA.

1. Pursuant to Notice No. 545 dated June 3, 1937, this matter came on for formal hearing before the Railroad Commission of the State of Florida at its session in the City Commission Room, 6th Floor of the City Hall, Miami, Florida, beginning June 21, 1937.

APPEARANCES:

Norman C. Hendry, Esq., appeared for applicant.

H. H. Lowery, Esq., for Tamiami Trail Tours, Inc., protestants.

Geo. A. K. Sutton, Esq., for Atlanta Coast Line Railroad Company, and G. E. Roberts, Esq.

J. W. Lumpkin, Esq., represented the Railway Express Agency.

2. The applicant, Wm. L. Bass, 910 N. W. 30th Street, Miami, has entered into contract with The Doxsee Company, Inc., to transport canned clams, clam juice, broth, chowder and bottle juice and empty cans and empty bottles between Tampa and Marco Island, the finished goods to be transported from Marco Island to Tampa and empty cans and bottles and occasionally groceries for use on the dredge boat dredging clams from Tampa to Marco Island. Marco Island is located 112 miles from Tampa. You reach this island by going over Tamiami Trail 104 miles then turning west and operating over dirt or shell road about eight miles. It appears that The Doxsee Company, Inc., is engaged in canning clams, clam chowder and clam juice. That it formerly used a boat line from Tampa to Marco Island but the boat line has gone out of business and it has no present means of transportation. That it offered this transportation to Tamiami Trail Tours, Inc., who was unable to handle it unless it was brought to the side of the road on the trail as the trucks of the Tamiami Trail Tours, Inc., could not get into their plant over the present dirt or shell road. That the Atlantic Coast Line Railroad runs about three miles from the plant of The Doxsee Company, and that it had applied to the Atlantic Coast Line Railroad to build a spur track out to their plant but they had refused to do this. That the only means of transportation of its products now is by truck under contract with Mr. Bass.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of Wm. L. Bass for a Certificate of Public Convenience and Necessity as a contract carrier transporting canned clams, clam juice, broth, chowder and bottle juice from Marco Island to Tampa, and the transportation of empty cans and bottles and an occasional load of groceries

from Tampa to Marco Island, and an occasional load between Miami and Marco Island, be and the same is hereby GRANTED.

It is further ORDERED that this Order shall be and become effective as of June 30th, 1937.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 25th day of July 1937.

ORDER NO. 1031,

DOCKET NO. 450.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF G. J. CREEDEN OF ORLANDO, FLORIDA, FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A PRIVATE CONTRACT CARRIER TRANSPORTING BEER AND ADVERTISING MATTER OF THE ATLANTIC COMPANY FROM ORLANDO TO DAYTONA BEACH, LAKE LAND, OCALA, TAMPA, ARCADIA, FORT PIERCE, GAINESVILLE, ST. PETERSBURG, SARASOTA, JACKSONVILLE, WEST PALM BEACH, MIAMI, PALMETTO, TALLAHASSEE AND FORT MYERS, FLORIDA, AND TRANSPORTING EMPTY BOTTLES AND KEGS FROM THESE VARIOUS POINTS TO ORLANDO FOR SAID ATLANTIC COMPANY OF ATLANTA, GEORGIA.

1. Pursuant to Notice No. 542 dated May 28, 1937, this matter came on for formal hearing before the Railroad Commission of the State of Florida at its Hearing Room, Supreme Court Building, Tallahassee, Florida, at 10 o'clock A. M. June 16, 1937.

W. M. Ellis, Esq., and J. J. Parrish, Jr., Esq., appeared for applicant.

Geo. A. K. Sutton, Esq., and F. B. Langley, Esq., for Atlantic Coast Line Railroad Company.

W. J. Oven, Esq., for Receivers of Seaboard Air Line Railway.

J. R. Hunter, Esq., for Railway Express Agency.

J. A. Bliss, Esq., for St. Johns River Line Company.

Sidney Allen, Esq., for Central Truck Lines.

2. The Atlantic Company of Atlanta, Georgia, is engaged in the operation of brewing beer and ale at its brewery in Orlando, Florida. On or about May 17, 1937 it entered into contract with G. J. Creeden for the transportation of its products to various points in the State of Florida. It is contended by the applicant that the transportation of ale and beer requires an extraordinary degree of care and special equipment for its handling. That common carriers by rail and motor are unable to adequately transport these products because the time of transportation is very important, and if the beer or ale is kept out of storage and out of refrigeration for more than six to eight hours it is apt to ferment and become unfit for use. That G. J. Creeden of Orlando has entered into contract with the Atlantic Company, and has contracted to expend a large sum of money in the purchase of eight Mack trallers and tractors to transport this beer and ale and advertising matter for the Atlantic Company from Orlando to various points in the State, and to transport back to the brewery the empty containers. A duplicate original contract between the Atlantic Company and the applicant, G. J. Creeden, was filed in evidence and appears to be in proper form and a mutually binding contract upon the parties.

3. From the evidence submitted, the Commission is of opinion that the application should be granted and a Certificate of Public Convenience and Necessity as a contract carrier should be awarded to the applicant.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of G. J. Creeden of Orlando, Florida, to transport under contract with the Atlantic Company of Atlanta, Georgia, ale and beer from the brewery at Orlando, Florida, to Daytona Beach, Lakeland, Ocala, Tampa, Arcadia, Ft. Pierce, Gainesville, St. Petersburg, Sarasota, Jacksonville, West Palm Beach, Palmetto, Tallahassee, Miami, and Fort Myers, Florida, and between Orlando and the Georgia-Florida line, together with such advertising matter as is used for the purpose of advertising these products, and to transport back to the brewery at Orlando, Florida, empty containers from these various points, be and the same is hereby **GRANTED**.

It is further **ORDERED** that this order shall be and become effective as of June 17, 1937.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 8th day of July 1937.

ORDER NO. 1032,

DOCKET NO. 454.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF L. E. METZGER FOR A PERMIT TO TRANSPORT BUILDING MATERIALS AND SUPPLIES BETWEEN JACKSONVILLE AND FERNANDINA, FLORIDA, DURING THE CONSTRUCTION OF THE PAPER MILL AT FERNANDINA.

1. Pursuant to Notice No. 349 dated July 3, 1937, this application came on for hearing before the Railroad Commission at the Mayflower Hotel, Jacksonville, Florida, on July 19, 1937, at 10 o'clock A. M. The following entered appearances:

Chas. E. Pelote appeared for applicant.

W. J. Oven for Seaboard Air Line Railway.

A. G. McArthur for McJunkin Truck & Bus Company.

2. The applicant, Leroy Metzger, is employed by Merritt, Chapman & Scott, contractors, for the paper mill company in Fernandina to haul all kinds of materials for the plant. He now desires a permit so that if an emergency arises which makes it necessary for the contractors to send a piece of machinery from Fernandina to Jacksonville, or to have some article transported to them from Jacksonville, at times when the regular common carriers are unable to transport such materials, he may perform this service. The Superintendent of Merritt, Chapman & Scott, contractors, testified that this company used the regular common carriers by rail and motor for the transportation of at least ninety-nine per cent of the materials used in building the two plants at Fernandina and Jacksonville but cases do arise where it is necessary to make an emergency trip between Jacksonville and Fernandina, and from one plant to the other in order to keep the plant moving, and it is this kind of operation that he desires the applicant to perform for this company.

3. Upon consideration of the evidence in this case, the Commission is of opinion that some kind of emergency service is necessary between the two plants now being constructed in Jacksonville and Fernandina, and that the applicant is in position to render such service.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of Leroy Metzger for a permit to transport for the Merritt, Chapman & Scott Corporation, engineering contractors, constructing pulp mills in Fernandina and Jacksonville, Florida, materials used in the construction of such mills between Fernandina and Jacksonville, Florida, on emergency occasions, and at such times when it is impossible for the contractors to transport such materials by means of the common carriers by rail and motor, be and the same is hereby GRANTED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 12th day of August 1937.

ORDER NO. 1033,

DOCKET NO. 452.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF CHARLES S. WALLACE AND EARL T. CORBIN, OPERATING UNDER THE NAME OF MIAMI-KEY WEST EXPRESS COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING THE OPERATION OF A MOTOR FREIGHT LINE TRANSPORTING PROPERTY IN COMMON CARRIAGE BETWEEN MIAMI AND KEY WEST, FLORIDA, WITH CLOSED DOORS FROM MIAMI, FLORIDA, TO FLORIDA CITY.

1. Pursuant to Notice No. 545 dated June 3, 1937, this matter came on for formal hearing before the Railroad Commission of the State of Florida in the City Commission Room, Sixth Floor, City Hall, Miami, Florida, on June 21, 1937, at 10 o'clock A. M. at which time there appeared the following:

W. H. Malone and Robert L. Thompson for applicants.

Leo P. Kitchen and Dan R. Schwartz and Ernest E. Roberts for Over-Seas Transportation Company, Inc., protestants.

2. The applicants, operating under the name of Miami-Key West Express Company, propose a service between Miami and Key West with closed doors through Florida City serving

the terminal points and also the keys between Miami and Key West. The applicants have four trucks with which they expect to perform this service. It will be necessary in operating a truck between Miami and Key West to use the ferry which operates between Matecumbe to Grassy Key and from Hog Key to No Name Key. It appears that the distance between Grassy Key and Hog Key is thirteen miles over a poorly constructed road which the trucks must use in this operation. It appeared at the hearing that the ferry system is operated by the F. E. R. A. and that it is necessary for trucks desiring to use the ferry to secure a special permit since the ferry is being operated primarily for the benefit of passengers in private cars. That only one truck, in addition to the passenger cars, is permitted the use of the ferry for each schedule. That the ferry operates twice daily which means fourteen schedules per week, and that special permits have been issued for practically all trucks that could be taken over these schedules. That the applicants have not made any application for a special permit. In addition, the testimony indicates that trucks carrying general commodities other than perishables, such as meats and vegetables, would not be issued permits to use the ferry. The testimony shows, however, that the ferries have sufficient capacity to accommodate several trucks on each trip. The Commission has been informed that since the hearing the F. E. R. A. management of the ferries has terminated and that the County Commissioners are now operating them directly.

3. The testimony shows that the Over-Seas Transportation Company, protestants at this hearing, renders common carrier service of freight by motor vehicles between Miami and Key West serving intermediate points beyond Florida City over State Highway No. 4-A; that it operates eleven motor vehicles in addition to several power boats that were made necessary by a lack of highway facilities over a portion of the route. That the ferries, which are now operated, refused permits to it to transport its trucks carrying general merchandise over the ferries, and it became necessary for it to operate its own boats. This company operates four times per week in each direction between Miami and Key West; and, in addition to this service, the P. & G. Steamship Company operates between Tampa and Key West twice weekly, and the Clyde-Mallory Line operates one weekly schedule between Boston, New York, Jacksonville and Miami. That the granting of another certificate to operate a truck line

between Miami and Key West would seriously affect the business of the present operator, the Over-Seas Transportation Company.

4. The hearing of this case consumed about two and a half days, and a record of more than three hundred and fifty pages was compiled. The Commission has carefully considered the evidence in the case and is of the opinion that even if the applicant was permitted to use the ferries in transporting their trucks between the keys loaded with general merchandise that public convenience and necessity does not require the granting of the application, and that the granting of the same would have serious revenue effect upon the operation of the present certificate holder operating between the same points.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Charles B. Wallace and Earl T. Corbin, proposing to do business under the name of Miami-Key West Express Company of Miami, Florida, for a Certificate of Public Convenience and Necessity to operate in the common carriage of freight between Miami and Key West, with closed doors through Florida City, be and the same is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 12th day of August 1937.

ORDER NO. 1034,

DOCKET NO. 216.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: APPLICATION OF L. R. POWELL, JR., AND
HENRY W. ANDERSON, AS RECEIVERS OF SEABOARD
AIR LINE RAILWAY COMPANY, A CORPORATION, FOR
A CERTIFICATE OF PUBLIC CONVENIENCE AND NEC-
CESSITY TO TRANSPORT FREIGHT, EXPRESS AND/OR
UNITED STATES MAIL IN INTRASTATE COMMERCE
ONLY BY MOTOR VEHICLE DAILY BETWEEN JACK-
SONVILLE AND LIVE OAK, FLORIDA, OVER STATE
ROAD NO. 1, U. S. HIGHWAY NO. 90 UNDER THE PRO-
VISIONS OF COMMITTEE SUBSTITUTE FOR HOUSE**

BILL NO. 138 (CHAPTER 18027, ACTS OF 1937) APPROVED BY THE GOVERNOR ON JUNE 4, 1937.

This matter coming on further for consideration before the Railroad Commission of the State of Florida upon petition of Central Truck Lines, Inc., filed herein on August 13, 1937, for authority to intervene in this cause and praying that a hearing and argument be had after due notice to the applicants, the Receivers of Seaboard Air Line Railway Company, and further praying that this Commission will enter its order vacating and setting aside Order No. 1025, heretofore made in this cause, and said petition having been considered, it is therefore:

CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Central Truck Lines, Inc., be and it is hereby allowed to file its petition and intervene in said cause.

It is further **ORDERED** that, since House Bill No. 138 (Chapter 18027, Acts of 1937) makes it the duty of this Commission, as a matter of right and without a hearing, to grant a Certificate of Public Convenience and Necessity to any railroad company, its receivers and/or trustees, who make a proper application therefor under the terms and conditions of said Chapter 18027, Acts of 1937, and the said receivers of Seaboard Air Line Railway Company having made such proper application, and Order No. 1025 having been properly entered under the terms of such statute, and no good reason appears why a hearing should be held, and why said Order No. 1025 should be vacated and set aside, and to hold such hearing and to vacate said Order would be a violation of the terms and conditions of said Chapter 18027, Acts of 1937, the prayer of the petition that a hearing be had, and that said Order No. 1025 be vacated and set aside, be and the same is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 25th day of September 1937.

ORDER NO. 1035,

**DOCKETS NOS. 100-10
100-28.**

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: JOINT PETITION OF ST. JOHNS RIVER LINE COMPANY AND STAR TRUCK LINE, INC., AND THE OWNERS OF STAR TRUCK LINE, FOR APPROVAL OF LEASE AGREEMENT OF STAR TRUCK LINE, INC., TO ST. JOHNS RIVER LINE COMPANY, AND ALSO FOR APPROVAL OF SALE AND TRANSFER OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 37, OWNED BY STAR TRUCK LINE, INC., TOGETHER WITH ALL OF THE ASSETS OF SAID COMPANY TO ST. JOHNS RIVER LINE COMPANY.

JOINT MOTION TO DISMISS PETITION

1. By Order No. 1027 dated July 7, 1937, the joint petition of St. Johns River Line Company and Star Truck Line, Inc., for approval of lease of the Star Truck Line, Inc., to St. Johns River Line Company was approved.

2. Under the terms of this Order St. Johns River Line Company was authorized to take over the common carrier properties, operations and business of Star Truck Line, Inc., under the terms and conditions of the lease agreement made a part of said Order, and operate the same until the further order of this Commission. It was further ORDERED that the joint petition of St. Johns River Line Company and Star Truck Line, Inc., for the approval and sale and transfer of Certificate of Public Convenience and Necessity No. 37, and of the assets of the Star Truck Line, Inc., be set down for a hearing on a date to be subsequently fixed by this Commission.

3. St. Johns River Line Company and Star Truck Line, Inc., have now filed a Joint Motion to Dismiss said Petition, and have attached thereto a copy of a joint agreement between the parties evidencing their formal consent to the cancellation and rescission of said agreement, and to the withdrawal and dismissal of the above described petition.

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the joint petition of St. Johns River Line Company and Star

Truck Line, Inc., and the owners of Star Truck Line, filed herein on July 7, 1937, for the approval of the sale and transfer of Certificate of Public Convenience and Necessity No. 37 of Star Truck Line, Inc., together with all the assets of said company, to the St. Johns River Line Company, be and the same is hereby DISMISSED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 22d day of September 1937.

ORDER NO. 1036,

DOCKET NO. 100-1.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CHANGES IN SCHEDULES OF CENTRAL TRUCK
LINES, INC.**

This matter coming on for consideration before this Commission upon application of Central Truck Lines, Inc., for approval of the attached SCHEDULES NOS. 14-A, 16-B and 17-B, and it appearing that these schedules propose only minor changes, and in no case changes the departure nor arrival time at terminals:

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Schedules Nos. 14-A, 16-B and 17-B, attached hereto and made a part of this Order, of the Central Truck Lines, Inc., be and the same are hereby APPROVED, effective on October 11, 1937.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 6th day of October 1937.

ORDER NO. 1037,

DOCKET NO. 199.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CHANGE OF SCHEDULES OF THE OVER-SEAS
TRANSPORTATION COMPANY, INC., UNDER CERTIFI-
CATE NO. 146.**

1. By petition filed before this Commission on April 20, 1937, the Over-Seas Transportation Company, Inc., asked leave to adopt and institute at once the attached schedules for the operation of its motor vehicles in common carrier service of freight between the cities of Miami and Key West, Florida, over State Highway No. 4-A with certain restrictions as to such operations between the cities of Miami and Florida City in connection with its diesel powered boats which operate on a schedule of four sailings per week between No-Name Key and also Matecumbe Key, which said boats were operated by reason of damage to the highway and to the ferry service by the hurricane of September 2, 1935.

2. That schedule No. 3-B, Time Table No. 1, attached hereto and made a part hereof, is to be effective until the completion of the Miami-Key West highway. That upon the completion of said highway the applicant proposes to operate Time Table No. 1, Schedule No. 4.

3. Upon an informal consideration of this petition the prayer of the same was granted and the schedule approved but no formal order was ever entered.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the schedules of the Over-Seas Transportation Company, Inc., hereto attached and made a part of this order be and the same are hereby **APPROVED** as of April 20, 1937.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 28th day of October 1937.

ORDER NO. 1038,

**DOCKETS NOS. 100-27
100-13.**

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: JOINT APPLICATION OF DANIEL B. GRIFFIS
OPERATING AS GRIFFIS TRUCK LINE OF WAUCHULA,
FLORIDA, AND TAMiami TRAIL TOURS, INC., FOR AU-
THORITY TO TRANSFER CERTIFICATE NO. 103, COV-
ERING COMMON CARRIAGE OF FREIGHT BETWEEN
TAMPA, FLORIDA, AND ZOLFO, FLORIDA, OVER STATE
HIGHWAYS NOS. 5 AND 2, FROM DANIEL B. GRIFFIS
TO TAMiami TRAIL TOURS, INC.**

1. By Order No. 883 dated August 18, 1936, the sale and transfer of Certificate No. 103, from Daniel B. Griffis, operating as Griffis Truck Line to Tamiami Trail Tours, Inc., was ordered approved when a showing was made that all mileage taxes, all valid C.O.D. claims, and the fine of \$50.00 which had been assessed against the said Griffis Truck Line, had been paid, and the Annual Report of the operations of said Griffis Truck Line up to and including the date of said order had been filed with this Commission.

2. It now appear that all of the conditions embraced in said Order No. 883 have been met.

Wherefore it is **CONSIDERED, ORDERED AND ADJUDG-
ED** by the Railroad Commission of the State of Florida that the joint application of Griffis Truck Line and Tamiami Trail Tours, Inc., for approval of transfer of Certificate No. 103 from Daniel B. Griffis, operating as Griffis Truck Line to Tamiami Trail Tours, Inc., be and the same is now **AP-
PROVED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 28th day of October 1937.

ORDER NO. 1039,

DOCKET NO. 473.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF L. L. PETERSON, LAKE-
LAND, FLORIDA, FOR CERTIFICATE OF PUBLIC CON-
VENIENCE AND NECESSITY AS CONTRACT CARRIER
TRANSPORTING FOR MONTGOMERY WARD & COM-
PANY UNDER CONTRACT, GOODS, WARES AND MER-
CHANDISE TO POINTS WITHIN A RADIUS OF FIFTY
MILES OF LAKE-LAND.

Pursuant to Notice No. 556 the above matter came on for
formal hearing before the Railroad Commission of the State
of Florida at its Hearing Room in the Supreme Court Build-
ing, Tallahassee, Florida, on October 25, 1937.

The applicant appeared in his own behalf.

No protestants appeared, although Tamiami Trail Tours,
Inc., filed written objections based on the form of the ap-
plication and the contract between the parties.

The applicant desires a contract certificate to perform the
ordinary store-to-customer delivery service of the Mont-
gomery-Ward Company store in Lakeland, Florida.

Testimony was by the applicant and by the Assistant Man-
ager of the store. It appeared that the Montgomery-Ward
Company sells much general merchandise to persons living
within a radius of fifty miles of Lakeland, and that it was
possible to make only a small portion of the deliveries by
means of existing common carrier service in that area be-
cause deliveries had to be made at irregular times, on sudden
calls, and largely to rural homes out of the range of common
carrier delivery service.

The operation would be entirely irregular, over no par-
ticular highways, according to no fixed schedules, and vary-
ing with the out-of-town sales of Montgomery-Ward Com-
pany. So the Commission is of the opinion that the proposed
operation is not that of a Private Contract Carrier as defined
in the Motor Transportation Act, but is ordinary "For Hire"
carriage.

Wherefore it is CONSIDERED, ORDERED AND ADJUDG-
ED by the Railroad Commission of the State of Florida that
L. L. Peterson of Lakeland, Florida, be granted a PERMIT

to deliver merchandise for Montgomery-Ward & Company from Lakeland, Florida, to points within a radius of fifty (50) miles of Lakeland, Florida, upon his compliance with the rules and regulations of this Commission governing the issuance of permits.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 25th day of October 1937.

ORDER NO. 1040.

DOCKET NO. 100-74.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: APPLICATION OF HOLSTUN & SONS, OCALA,
FLORIDA, FOR EXTENSION OF PRESENT ROUTE AS
CONTRACT CARRIER UNDER CERTIFICATE NO. 121,
FROM QUINCY TO MARIANNA OVER STATE ROAD NO.
1, TO SERVE ATLANTIC & PACIFIC TEA COMPANY
STORE IN MARIANNA ONLY. ONE TRIP EACH WEEK.**

Pursuant to Notice No. 556, the above matter came on for formal hearing before the Railroad Commission of the State of Florida on October 25, 1937, at the Hearing Room in the Supreme Court Building, Tallahassee, Florida.

James M. Smith, Jr., of Ocala, Florida, appeared for the applicant.

There were no protestants to the application.

The applicant for many years has operated as a private contract carrier, hauling the grocery and food products of the Great Atlantic & Pacific Tea Company from Jacksonville, Florida, to various cities and towns in Florida under Certificate No. 121. One schedule calls for a delivery of groceries once a week from Jacksonville to Havana, Florida, and Quincy, Florida. This application seeks to extend this service to include the Atlantic & Pacific store in Marianna, Florida.

The Commission has considered the application and the testimony introduced to sustain it and is of the opinion that the applicant has shown that public convenience and necessity requires the extension sought, and that the granting of

the same will not be detrimental to other transportation in the territory involved.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Holstun & Sons of Ocala, Florida, for extension of Certificate No. 121, to operate one round trip weekly from Quincy, Florida, to Marianna, Florida, over State Road No. 1, hauling only the products of the Great Atlantic & Pacific Tea Company to and from its store in Marianna, Florida, is hereby **GRANTED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida in session at its office in the City of Tallahassee, Florida, this 25th day of October 1937.

ORDER NO. 1041,

DOCKET NO. 100-10.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF ST. JOHNS RIVER LINE COMPANY FOR REVISION OF ITS MOTOR CARRIER SCHEDULES KNOWN AS TIME TABLE NO. 2, SCHEDULES 1 TO 9 INCLUSIVE, AND ALSO REVISION OF EDWARDS LINE SCHEDULES KNOWN AS TIME TABLE NO. 1, SCHEDULES 1 AND 2, AND ALSO REVISION OF HARTLINE SCHEDULES KNOWN AS TIME TABLE NO. 1, SCHEDULE NO. 1.

1. Pursuant to Notice No. 353 dated September 23, 1937, this matter came on for formal hearing before the Railroad Commission of the State of Florida at the Floridan Hotel, Tampa, Florida, on Friday, October 15th, 1937, at 10 o'clock A. M. and then and there appeared the following:

John A. Bliss, representing St. Johns River Line Company; A. Pickens Coles and E. R. Rowland representing Tamiami Trail Tours, Inc.; and other interested parties.

2. A copy of its application, including the new Schedules proposed, was served by St. Johns River Line Company upon all rail carriers and upon all motor carriers operating over the routes in the territory affected by such schedule changes. The matter of the nature of the changes, and the reason

for the changes in schedules, appeared in detail in the application, and were outlined by representatives of St. Johns River Line Company in the record. Many of the changes were for clarification purposes only, and other changes appeared to be necessary on account of the volume of business now being handled by the applicant which they desired to handle as expeditiously as possible and with the least trouble and expense. There appeared very little opposition to the proposed changes in schedules.

3. The Commission has carefully considered these schedule changes, and is of opinion that such changed schedules are reasonable and would serve public convenience and necessity.

Wherefore it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the attached schedules, being Time Table No. 3, Schedules Nos. 1 to 13 inclusive, be and the same are hereby approved for the use of the St. Johns River Line Company in its operations as a certificated common carrier by motor vehicle between the points mentioned in such schedules.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 25th day of October.

ORDER NO. 1042,

DOCKET NO. 100-10.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF ST. JOHNS RIVER LINE COMPANY (A) TO CONDUCT A THROUGH FREIGHT SERVICE BETWEEN JACKSONVILLE AND OTHER POINTS ON THE ST. JOHNS RIVER ON THE ONE HAND AND FORT MYERS ON THE OTHER HAND; (B) FOR THE ESTABLISHMENT OF A THROUGH FREIGHT SERVICE FROM POINTS ON THE LINES OF ST. JOHNS RIVER LINE COMPANY SERVED UNDER AUTHORITY OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 80 ON THE ONE HAND AND FORT MYERS, FLORIDA, ON THE OTHER; (C) FOR THE PRESCRIPTION OF DIFFERENTIAL FREIGHT RATES FOR SUCH SERVICE; OR (D) FOR THE ADOPTION OF A FORMULA FOR THE CONSTRUCTION OF SUCH RATES.

1. On May 18, 1937 the St. Johns River Line Company filed its petition asking that it be authorized to establish and maintain a through freight service between Jacksonville and other points on the St. Johns River on the one hand and Fort Myers, Florida, on the other, employing boat service from Jacksonville to Sanford, motor truck from Sanford to Tampa, and boat from Tampa to Fort Myers; and also asked that differential freight rates be prescribed for such service, or that a formula be adopted for the construction of such rates. The Railroad Commission held that such an enlargement of service required a showing of public convenience and necessity at a hearing to be held for such purpose, and under notice No. 546 dated June 3, 1937, set the matter down for formal hearing at the Tampa Terrace Hotel, Tampa, Florida, on June 24, 1937.

2. For good cause shown, and upon application of both parties, the hearing of this matter which had been set for Tampa, Florida, on June 24, 1937, was by Notice No. 548, dated June 17, 1937, postponed until further order of the Commission.

3. By Order No. 552 dated September 23, 1937, this cause was set down for formal hearing at the Bradford Hotel, Fort Myers, Florida, at 2:30 P. M. on Monday, October 11, 1937.

4. Pursuant to Notice No. 552 the Railroad Commission assembled in session at the Bradford Hotel, Fort Myers, Florida, on Monday, October 11, 1937, at 2:30 P. M. for the purpose of considering the above application of St. Johns River Line Company, and then and there appeared the following:

Clifford T. Inglis and John A. Bliss appearing for applicant; A. Pickens Coles for Tamiami Trail Tours, Inc., also T. R. Rowland; W. T. Weeks for Atlantic Coast Line Railroad Company; L. P. King for Seaboard Air Line Railway Company; J. R. Hunter for Railway Express Agency; Joseph H. Donnell for Tampa Traffic Association; T. C. Maurer for Jacksonville Traffic Bureau and Jacksonville Chamber of Commerce.

5. Before any order had been issued by the Commission in this matter, St. Johns River Line Company, the applicant, filed its Motion to Dismiss the application on the following grounds:

"1. That applicant and Tamiami Trail Tours, Inc., have entered into an interchange agreement dated

the 1st day of November, 1937, under the terms of which through intrastate freight moving over the lines of applicant via Tampa to and from Fort Myers can be efficiently handled over the Tampa-Fort Myers segment of the route by Tamiami Trail Tours, Inc.

"2. That in and by said interchange agreement proper provision is made for the handling by Tamiami Trail Tours, Inc., of interstate freight to and from Fort Myers and moving over the lines of St. Johns River Line Company as well as for the handling of the through intrastate freight with which this application is concerned.

"3. That Tamiami Trail Tours has concurred as a connecting carrier in the published tariffs of St. Johns River Line Company for the transportation of interstate and intrastate freight to and from Fort Myers and that the terms and duration of such concurrences are satisfactory to the applicant.

"4. That applicant and Tamiami Trail Tours, Inc., have made a satisfactory agreement as to transfer and the division of revenue on freight interchanged between the two lines.

"5. That under the interchange arrangement between applicant and Tamiami Trail Tours, the public will continue to receive the benefits of the through water-truck routes and rates established under authority of this Commission's Order No. 756 and subsequent orders and the benefits of the through water-truck routes and joint rates established for the carriage of interstate freight; that the public will continue to receive pick-up and delivery services at Fort Myers as when the Tampa-Fort Myers segment of the through carriage was performed by the boat line of the applicant.

"6. That the service to the public is to be performed and now being performed under the interchange arrangement between St. Johns River Line Company and Tamiami Trail Tours, Inc., is a faster, more regular and more efficient service than that heretofore existing, resulting in more efficient transportation for the Fort Myers area, being conducted daily except Sunday rather than tri-weekly and independent of weather and navigating conditions.

"7. That the observation of the needs of the public and the protection of the public in the maintenance of stable, efficient transportation agencies for the movement of its goods to and from Fort Myers, Florida, have been adequately taken care of by applicant and Tamiami Trail Tours, Inc., in the aforesaid interchange agreement; and accordingly, St. Johns River Line Company had abandoned its local Tampa-Fort Myers boat service and filed proper supplements to its tariffs so indicating."

A copy of the interchange agreement between the St. Johns River Line Company and Tamiami Trail Tours, Inc., was attached to and filed with the motion setting up the agreement between the two parties as mentioned and referred to in the motion to dismiss.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the above described application of the St. Johns River Line Company be and the same is hereby **DISMISSED**.

It is further **ORDERED** that the interchange agreement by and between the St. Johns River Line Company and Tamiami Trail Tours, Inc., dated November 1st, 1937, and providing for and interchange of freight to and from Fort Myers, Florida, copy of which is attached to and filed with the motion of St. Johns River Line Company to dismiss its application, be and the same is hereby **APPROVED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 16th day of November, 1937.

ORDER NO. 1043,

DOCKET NO. 216.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF L. R. POWELL, JR., AND HENRY W. ANDERSON, AS RECEIVERS OF SEABOARD AIR LINE RAILWAY COMPANY, A CORPORATION, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO TRANSPORT FREIGHT, EXPRESS AND/OR UNITED STATES MAIL IN INTRASTATE COMMERCE ONLY BY MOTOR VEHICLE DAILY, EXCEPT SUNDAY, BETWEEN JACKSONVILLE AND YULEE, FLORIDA, OVER STATE ROADS NOS. 3 AND 13, UNDER THE PROVISIONS OF CHAPTER 18027, ACTS OF 1937.

1. On November 9, 1937, the applicants filed an application for an extension of their Certificate of Public Convenience and Necessity No. 183, seeking authority to operate motor vehicles in the transportation of freight, express and/or United States mail in intrastate commerce only between Jacksonville and Yulee, Florida, over State Highways Nos. 3 and 13. This application was filed pursuant to the provisions of Chapter 14764, Laws of Florida 1931, as amended by Chapter 18027, Acts of 1937.

2. The provisions of Section 27 of Chapter 14764, Acts of 1931, as amended by Chapter 18027, Acts of 1937, require this Commission to grant a Certificate of Public Convenience and Necessity to a railroad company, its receivers and/or trustees, as a matter of right, and without a hearing, upon the making of proper application therefor, authorizing the transportation of freight, express and/or United States mail over the highways and public roads of this State, using only the most practicable route located nearest to the rail lines of such railroad company and/or its receivers, and which is generally and/or usually used between the communities served by such rail lines. The Act requires the Railroad Commission to determine said route.

3. Upon consideration of the application, the Commission finds:

- (a) That L. R. Powell, Jr., and Henry W. Anderson are the Receivers of the Seaboard Air Line Railway Company, which company is a common carrier by rail operating in this State, and that such

receivers have made a proper application to operate motor vehicles for the transportation of freight, express and/or United States mail over State Roads Nos. 3 and 13.

- (b) That the communities of Jacksonville and Yulee, Florida, are connected by and served by rail lines of the Seaboard Air Line Railway Company, and said roads Nos. 3 and 13 are the most practicable routes located nearest to such rail lines, and the route which is generally and usually used between such communities.
- (c) That the applicants have attached to their application a schedule upon which they propose to operate trucks, and have agreed that the rates and charges for transportation by motor vehicle under said application shall and will be the same which are now charged for the transportation by rail.
- (d) That under the terms and provisions of Chapter 14764, Acts of 1931, as amended by Chapter 18027, Acts of 1937, this Commission is required as a matter of right, and without a hearing, to grant a Certificate of Public Convenience and Necessity for the service sought.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of L. R. Powell, Jr., and Henry W. Anderson, Receivers of Seaboard Air Line Railway Company, for an extension of their Certificate of Public Convenience and Necessity No. 183, authorizing them to operate motor vehicles for the transportation of freight, express and/or United States mail between Jacksonville and Yulee, Florida, over State Roads Nos. 3 and 13, under the provisions of Chapter 14764, Acts of 1931, as amended by Chapter 18027, Acts of 1937, be and the same is hereby **GRANTED**.

It is further **ORDERED** that Time Table No. 101, Schedule 101, a copy of which is attached to and made a part of this Order, is hereby **APPROVED** as the schedule upon which they shall conduct such operation.

It is further **ORDERED** that the rates and charges for transportation by motor vehicle of commodities under this application shall be the same as those which the Receivers of the Seaboard Air Line Railway Company are now authorized to charge for the transportation of the same commodities by rail.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 17th day November, 1937.

ORDER NO. 1044,

DOCKET NO. 100-1.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CHANGES IN SCHEDULES OF CENTRAL TRUCK
LINES, INC., TAMPA, FLORIDA.**

This matter coming on for consideration before this Commission upon application of Central Truck Lines, Inc., for approval of attached Time Table No. 3, Schedules Nos. 1 to 17 inclusive, and it being represented to the Commission that these schedules propose only minor changes, and it appearing that they will be of benefit to the public:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that Time Table No. 3, Schedules Nos. 1 to 17 inclusive, attached hereto and made a part of this order, of Central Truck Lines, Inc., be and the same are hereby **APPROVED**, effective December 8th, 1937.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 7th day of December 1937.

ORDER NO. 1046,

DOCKET NO. 480.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: APPLICATION OF GEORGE WALKER (COL) OF
HOBE SOUND FOR A CERTIFICATE OF PUBLIC CON-
VENIENCE AND NECESSITY AS A COMMON CARRIER
TRANSPORTING PASSENGERS FROM HOBE SOUND TO
SALERNO AND FROM HOBE SOUND TO JUPITER
ISLAND.**

1. The above application came on for hearing before the Railroad Commission of the State of Florida under Notice

No. 560, in the Martin County Court House, Stuart, Florida, on December 3, 1937.

T. T. Oughterson of Stuart appeared for the applicant.

There were no protestants to the application.

2. The original application filed in this matter, together with the amendment to that application, and together with the testimony taken at the hearing, show that the applicant proposed to operate a single bus from the town of Hobe Sound, which is about eleven miles south of Stuart, Florida, to the town of Salerno about six miles north of Hobe Sound, and from Hobe Sound to Jupiter Island, which is a few miles east of Hobe Sound and on the Atlantic Ocean. The applicant is a negro and the application was made, and the entire service proposed will be operated, under the supervision and direction of the Hobe Sound Company which operates a hotel on Jupiter Island, and Mr. T. T. Oughterson, the attorney for Hobe Sound Company. It appears that there is a need for a bus service to transport help from the settlements in Hobe Sound and Salerno to the hotel and fine residential homes on Jupiter Island. It appeared from the testimony that approximately fifty passengers would be transported to and from their places of employment each day during the winter tourist season beginning about December 15th and ending about the 1st of May. It is proposed to operate this service on regular schedule making about two round trips in the morning and two round trips in the afternoon.

3. Applicant also requests the privilege of making irregular trips into Stuart, Florida, for the purpose of transporting caddies from Stuart out to the golf course at Hobe Sound. It is also proposed to use this bus for the transportation of white employees of the hotel on Jupiter Island from the hotel to the bathing beach about a mile away. These two operations would be irregular.

4. The Commission has considered the application and the testimony in support thereof, and is of opinion that public convenience and necessity require the granting of the same.

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida, that George Walker of Hobe Sound, Florida, be granted a Certificate of Public Convenience and Necessity to operate as a common carrier of passengers between Hobe Sound, Florida,

and Salerno, Florida, and Jupiter Island with the privilege of making occasional irregular trips into Stuart, Florida, for the purpose of transporting caddies between Stuart, Florida, and Hope Sound golf course, and with the privilege of transporting passengers from the hotel on Jupiter Island to the bathing beach on that island.

It is further ORDERED that such Certificate of Public Convenience and Necessity be issued upon said applicant complying with the rules and regulations of this Commission relative to insurance, the qualification of the vehicles to be used, and the filing of Time Schedules and fares to be charged.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 15th day of December 1937.

ORDER NO. 1047,

DOCKET NO. 1064.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: PRESCRIBING UNIFORM SYSTEM OF ACCOUNTS
FOR CLASS 1 COMMON MOTOR CARRIERS OF PER-
SONS AND PROPERTY AS DEFINED HEREIN, SUBJECT
TO THE PROVISIONS OF CHAPTER 14764, LAWS OF
FLORIDA 1931, AS AMENDED, AND FEDERAL MOTOR
CARRIER ACT OF 1935.

1. By Order No. 999, dated November 14, 1929, this Commission prescribed a Uniform System of Accounts for Auto Transportation Companies operating under Certificates of Public Convenience and Necessity issued by this Commission, which was effective as of January 1, 1930.

2. It now appears that the Interstate Commerce Commission, by Order dated November 29, 1937, has prescribed Uniform System of Accounts effective January 1, 1938, for carriers of persons and property. These uniform System of Accounts were prescribed for Class 1 Motor Carriers which were defined as carriers having an average gross revenue of \$100,000.00 or over annually for the three years preceding January 1, 1938. It is the opinion of this Commission that uniformity will be attained, and Class 1 Common Carriers, as herein defined, will be relieved of maintaining and filing

separate Uniform System of Accounts with the Federal and State authorities by the adoption of the Uniform System of Accounts prescribed by the Interstate Commerce Commission.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the Uniform System of Accounts prescribed by the Interstate Commerce Commission for Class 1 Common or Contract Motor Carriers of property, and for Class 1 Common or contract Motor Carriers of passengers, effective January 1, 1938, copies of which are hereto attached and made a part of this Order, are adopted for use by Class 1 Common Carriers by motor vehicle of property and passengers.

It is further **ORDERED** that said Uniform System of Accounts be and it is hereby prescribed for the use of Class 1 Common Motor Carriers of property and Class 1 Common Carriers of Passengers, subject to the provisions of the Florida statutes and the Federal Motor Carrier Act 1935, in the keeping and recording of their accounts, and that each and every such carrier shall procure a copy of such Uniform System of Accounts applicable to its business from the Bureau of Motor Carriers, Interstate Commerce Commission, Washington, D. C.

It is further **ORDERED** that for the purpose of applying such system of accounts by motor carriers of persons and property, Class 1 carriers shall include each carrier having a gross revenue of \$100,000.00 or over during the calendar year 1936. From the records of this Commission, and the Annual Reports filed, it is found that the following operators will be subject to this Order:

ACME FREIGHT LINES, INC.
CENTRAL TRUCK LINES, INC.
GREAT SOUTHERN TRUCKING COMPANY.
L. & L. FREIGHT LINES, INC.
K. & L. TRANSPORTATION COMPANY, INC.
ST. JOHNS RIVER LINE COMPANY.
ATLANTIC GREYHOUND LINES.
EAST COAST STAGES, INC.
FLORIDA MOTOR LINES CORPORATION.
SOUTHEASTERN GREYHOUND LINES, INC.
UNION BUS COMPANY.
TAMIAMI TRAIL TOURS, INC.
TECHE LINES, INC.

It is further **ORDERED** that this Order shall be and become effective as of January 1, 1938, unless complaint by those affected shall be registered with this Commission prior to such date.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 17th day of December 1937.

ORDER NO. 1048,

DOCKET NO. 349.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF P. T. MALONE DOING BUSINESS AS P. T. MALONE HORSE PULLMAN SERVICE OF CORAL GABLES AND HIALEAH, FLORIDA, FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A LIMITED COMMON CARRIER TO TRANSPORT RACE HORSES AT IRREGULAR INTERVALS DAILY BETWEEN TWO RACE TRACKS IN DADE COUNTY, FLORIDA.

1. The above application came on for hearing before the Railroad Commission of the State of Florida in Room 630 of the Dade County Court House, Miami, Florida, on November 15, 1937.

Wm. J. Pruitt appeared for the applicant. Leo P. Kitchen and Dan R. Schwartz appeared for the protestants, Leonard Brothers Transfer & Storage Company and John E. Withers Transfer Company, both of Miami, Florida.

2. The applicant seeks a limited Common Carrier Certificate to transport race horses at irregular intervals daily during the racing season between the Hialeah and Tropical Park Race tracks located in Dade County, Florida. The two race tracks are between ten and eleven miles apart, the first named being located in the City of Hialeah and the other track being about two and a half miles west of the City of Coral Gables. This applicant previously sought a permit to perform this service, but this was denied by the Commission because it was found that the operation was one of common carriage for which a Certificate of Public Convenience and Necessity would have to be secured. (See Opinion of the Commission and Order No. 1002, dated March 10, 1937).

3. The testimony shows that an average of thirty to thirty-five horses are transported each racing day from the stables of the track where racing is not taking place to the track

where a meet is in progress. The racing lasts ninety days and is divided between the two tracks. The fact that neither track can stable all the horses which race at that track necessitates this daily movement. Each day's racing takes place between 2:00 P. M. and 5:30 P. M. The movement of the horses begins the latter part of the morning (for the early races) and continues irregularly throughout the day until the horses in the later races have been carried back to their stables. The service is a daily round trip one, except at the beginning and conclusion of the meets when there is a large one-way movement between the tracks and the railroad stations.

4. The only witness the applicant produced to show any public convenience and necessity was P. T. Malone, the principal member of the association making the application. He had operated horse vans in performing this service during the greater portion of the past racing season, hauling about ten horses per day on the average, and he stated that in his opinion there was need for additional facilities above those offered by the two protestant carriers, and that he was willing and able to perform the service. Other than this statement of the applicant, there is no other testimony that either the present or future convenience and necessity of the public requires such additional service. On the contrary, the two protestants who have performed this service under the jurisdiction of the Railroad Commission continuously since the two race tracks began operating (about six years ago) testified that each had sufficient equipment to take care of ALL the business. In other words, it appears that both Leonard Brothers Transfer & Storage Company and John E. Withers Transfer Company have enough special horse-van equipment to transport all the horses that must move each day. Nor does it appear that there will be any increase in such transportation in the future that would justify the Commission increasing the facilities. Protestants testified that in their opinion there would be no increase this coming racing season, while applicant estimated a five per cent increase. It appears that either of the protestants could handle any such increase without additional equipment. Nor was there any testimony to the effect that the service being rendered by Leonard Brothers Transfer & Storage Company or John E. Withers Transfer Company was in any way inadequate or unsatisfactory. No owners or shippers of race horses appeared to criticize the service of the protestants. While the applicant secured a fair share of the business while he was operating last season under temporary authority from the

Commission (See Order No. 1002) it appears that his business was secured through friendship with horse owners and the ordinary laws of supply and demand which will give a portion of any trade to a newcomer who is equipped to serve.

5. In view of the above facts the Commission is of the opinion that there has not been such proof of public convenience and necessity for the granting of this application as is required under the law. Section 3 of Chapter 14764, Acts of 1931 (Florida Motor Transportation Act) provides that in granting a Certificate of Public Convenience and Necessity the Commission

“ * * * shall take into consideration the effect that the granting of such certificate may have upon transportation facilities within the territory sought to be served by said applicant, and also the effect upon transportation as a whole within said territory.

* * * *

“When application is made by an auto transportation company for a certificate to operate as a common carrier in a territory or on a line already served by a certificate holder, the Commission shall grant same only when the existing certificate holder or holders serving such territory fail to provide service and facilities which may reasonably be required by the Commission.”

6. At the same time this application was heard, the Commission also took testimony and considered the application of Railway Express Agency, Inc., for a Certificate to perform this same service. The Express Company's application has been denied this same date for reasons similar to those above. See Order No. 1049 dated December 20, 1937.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of P. T. Malone, doing business as P. T. Malone Horse Pullman Service of Coral Gables and Hialeah, for a Certificate of public Convenience and Necessity as a limited common carrier to transport race horses at irregular intervals daily between the race tracks in Dade County, Florida, be and the same is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 20th day of December 1937.

COMMISSIONER DOUGLASS dissents on the ground that in his opinion there was sufficient showing of public convenience and necessity and the application should have been granted.

**ORDER NO. 1049,
DOCKET NO. 415.**

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF RAILWAY EXPRESS AGENCY, INC., OF JACKSONVILLE, FLORIDA, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A LIMITED COMMON CARRIER TO TRANSPORT RACE HORSES AND POLO PONIES BETWEEN CERTAIN POINTS IN DADE COUNTY, FLORIDA.

1. The above application came on for hearing before the Railroad Commission of the State of Florida in Room 630 of the Dade County Court House, Miami, Florida, on November 15, 1937.

Blair Foster of Atlanta, Georgia, appeared for applicant.

Leo P. Kitchen and Dan R. Schwartz appeared for the protestants, Leonard Brothers Transfer & Storage Company and John E. Withers Transfer Company, both of Miami, Florida.

2. The applicant seeks a limited common carrier certificate to transport race horses at irregular intervals daily during the racing season between the Hialeah and Tropical Park tracks, the Riding Academy, and the depots of the Florida East Coast Railway and the Seaboard Air Line Railway, all in Dade County, Florida. The applicant previously sought a permit to perform this service, but this was denied by the Commission because it was found that the operation was one of common carriage for which a Certificate of Public Convenience and Necessity would have to be secured. (See Opinion of the Commission and Order No. 1000, dated March 10, 1937).

3. This applicant proposes an operation almost identical with that proposed under the application of P. T. Malone, doing business as P. T. Malone Horse Pullman Service, which was heard at the same time the instant application was con-

sidered and which was denied this day by Railroad Commission Order No. 1048, to which reference is made. The Commission is of the opinion that this application should be denied for the same reasons as set forth in the Order denying the Malone application, namely, that there has been insufficient proof of public convenience and necessity to overcome the statutory rights of the protestants who are existing carriers in the field.

4. The applicant, in addition to seeking a common carrier Certificate as provided in Section 3 of Chapter 14764, Laws of Florida, Acts of 1931, also produced testimony and sought to bring its operation within Section 27 of Chapter 14764, as amended by Chapter 18027, Acts of 1937, which grants to railroad companies and to certain companies controlled by a railroad company, the right to secure a motor vehicle common carrier Certificate under certain circumstances. The Commission is of the opinion that the operation sought herein does not come within the scope or intent of Chapter 18027.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Railway Express Agency, Inc., of Jacksonville, Florida, for a Certificate of Public Convenience and Necessity as a limited common carrier to transport race horses and polo ponies between certain points in Dade County, Florida, be and the same is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 20th day of December 1937.

COMMISSIONER DOUGLASS dissents on the ground that in his opinion there was sufficient showing of public convenience and necessity and the application should have been granted.

ORDER NO. 1050,

DOCKET NO. 471.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF H. D. EMERSON, RECEIVER,
ALABAMA & WESTERN FLORIDA RAILROAD COMPANY
OF CHIPLEY, FLORIDA, FOR A CERTIFICATE OF PUB-
LIC CONVENIENCE AND NECESSITY TO TRANSPORT
PASSENGERS, MAIL, LIGHT EXPRESS AND FREIGHT
FROM THE ALABAMA-FLORIDA STATE LINE TO PANAMA
CITY SERVING GRACEVILLE, CHIPLEY, WAUSAU,
CRYSTAL LAKE, VICKSBURG, SOUTHPORT AND LYNN
HAVEN OVER STATE ROAD NO. 52. AND ALSO FROM
GRACEVILLE TO CAMPBELLTON AND RETURN OVER
STATE ROAD NO. 125.

1. Pursuant to Notice No. 555 dated September 30, 1937,
this matter came on for formal hearing before the Railroad
Commission of the State of Florida at the City Hall, Chipley,
Florida, on Tuesday, October 26, 1937, at 10 o'clock A. M.

Howard S. Bailey, Robert Mathis, Jr., and C. R.
Mathis appeared for H. D. Emerson, Receiver, the
applicant.

John H. Carter appeared for St. Andrews Bay
Transportation Company, protestant. H. C. Rowland
appeared for Union Bus Company, protestant.

2. The Alabama & Western Florida Railroad Company
is a line of railroad extending from Chipley to Greenhead,
a distance of 19.25 miles. H. D. Emerson is acting as re-
ceiver of said railroad company under appointment of the
Judge of the Circuit Court of the Fourteenth Judicial Circuit
of Florida in and for Washington County by order dated
November 28, 1936. The receiver of the Alabama & Western
Florida Railroad Company also operates 18.25 miles of rail-
road from Greenhead to Southport under lease from the
Sale-Davis Company by the terms of which lease he secured
the trackage rights over said Sale-Davis Company's line of
railroad. As a result, the receiver now has charge of and
operates 37.50 miles of railroad extending from Chipley south
to Southport and parallel to State Road No. 52 running from
Panama City through Southport, Greenhead, Chipley and
Graceville to the Florida-Alabama State line.

3. Under the provisions of Section 27 of Chapter 14764, Laws of Florida, Acts of 1931, as amended by Chapter 18027, laws of Florida, Acts of 1937, the receiver of the Alabama & Western Florida Railroad Company would be entitled to a Certificate of Public Convenience and Necessity to operate motor vehicles for the transportation of freight, express and/or United States mail as a matter of right and without a hearing over that portion of Highway No. 52 which parallels the line of its railroad if proper application had been made therefor. However, the applicant did not entirely rely upon said Section of the statute but has made an application for a Certificate of Public Convenience and Necessity to transport passengers, in addition to freight, express and mail, not only over the road paralleling its own track and that of its lessor, Sale-Davis Company, but also over additional portions of said road extending north and south of its rail lines, and has filed its application in accordance with the first clause of Section 27 of Chapter 14764 as amended by Chapter 18027, Acts of 1937, which provides that railroad companies, their receivers and trustees, are authorized to operate motor vehicles for hire upon the highways of this State upon proper proof of public convenience and necessity therefor. The applicant desires to operate over the entire stretch of State Road No. 52 extending from the Alabama-Florida line north of Graceville to Panama City, a distance of approximately sixty miles. H. D. Emerson, as receiver of Alabama & Western Florida Railroad Company, the applicant, was authorized by Order of the Court dated July 10, 1937, to make application to this Commission for a Certificate of Public Convenience and Necessity as outlined in the application. It appears that it is the intention of the receiver to later apply to the Interstate Commerce Commission for a Certificate to operate in interstate commerce from Dothan, Alabama, to Panama City, Florida.

4. The applicant produced between eighteen and twenty witnesses embracing the mayors, members of the City Council, members of the legislature, and business men from various points along its route who testified as to public convenience and necessity for this operation. It seemed to be the general consensus of opinion of those produced before the Commission that the operation of a bus line over this route, and between the points described, would be a great convenience and benefit, not only to the applicant itself but to the public residing along such route. That there were various commodities that would be shipped over this bus and truck line if a regular schedule was operated. That at the present time this particular territory was not adequately served and there

was a particular need for passenger service in order to give the people an opportunity to get into Graceville, Chipley and Panama City. It was further testified that the establishment of such transportation line would aid the development of the section through which it operates, and that the lack of such transportation facilities had greatly retarded such development. That the communities along this route, and particularly Panama City, has greatly increased in population in the past five or six years and there has been a proportional increase in business which demands adequate and efficient transportation.

5. The St. Andrews Bay Transportation Company also has an application filed with this Commission for a Certificate of Public Convenience and Necessity to transport passengers, express and mail over this same Highway No. 52, and between the same points. This application was also set for hearing at the same time, but on motion of the St. Andrews Bay Transportation Company, the applicant, hearing of the application was postponed. The St. Andrews Bay Transportation Company made this motion to postpone on the ground that they now had an application to operate between Dothan, Alabama, and Panama City, Florida, before the Interstate Commerce Commission and desired to await the action of the Interstate Commerce Commission before proceeding with this part of its application.

6. At the conclusion of the testimony of the applicant the St. Andrews Bay Transportation Company filed its formal objection to the granting of this application, but no testimony was offered by it.

7. Upon consideration of the evidence introduced in this proceeding the Commission is of opinion that public convenience and necessity requires the granting of the application.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of H. D. Emerson, Receiver of Alabama & Western Florida Railroad Company, for a Certificate of Public Convenience and Necessity to transport passengers, mail, express and freight between the Alabama-Florida State line and Panama City serving the intermediate points of Graceville, Chipley, Wausau, Crystal Lake, Vicksburg, Southport and Lynn Haven, be and the same is hereby **GRANTED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 16th day of December 1937.

ORDER NO. 1051,

DOCKET NO. 260.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: JOHN E. LEWIS OF TAMPA, FLORIDA, OPERATING AS PRIVATE CONTRACT CARRIER TRANSPORTING PETROLEUM PRODUCTS FOR SINCLAIR REFINING COMPANY FROM ITS TERMINALS AT TAMPA, FLORIDA, TO CERTAIN OTHER POINTS IN THE STATE OF FLORIDA. CANCELATION OF CERTIFICATE FOR FAILURE TO OPERATE.

1. By Order No. 763 dated July 16, 1935 a Certificate of Public Convenience and Necessity as a Private Contract Carrier transporting petroleum products for Sinclair Refining Company was awarded to John E. Lewis, doing business as Lewis Trucking Company of Tampa, Florida. Certificate of Public Convenience and Necessity No. 195 was thereupon issued to John E. Lewis, doing business as Lewis Trucking Company authorizing transportation as above described.

2. A policy of insurance dated July 22, 1935 was issued by United States Fidelity and Guaranty Company to cover the motor vehicles operated by Lewis Trucking Company under such certificate. When the policy came up for renewal on July 22, 1936 the policy was not renewed nor filed with this Commission. This matter was taken up several times with the Lewis Trucking Company but this Commission has received no response from them since November 18, 1936. No mileage taxes have been paid nor mileage tax reports made since said date, and this company has failed to operate for a period of more than ninety days.

Therefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that Certificate of Public Convenience and Necessity 195 heretofore issued to Lewis Trucking Company of Tampa, Florida, be and the same is hereby CANCELED, and authority to operate under such Certificate is hereby REVOKED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 15th day of December, 1937.

ORDER NO. 1052,

DOCKET NO. 100-1.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: CHANGES IN SCHEDULE OF CENTRAL TRUCK
LINES, INC., OF TAMPA, FLORIDA.**

This matter coming on for consideration before this Commission on application of Central Truck Lines, Inc., for approval of certain schedules, and it appearing that by Order No. 1044 dated December 7, 1937, this Commission approved Time Table No. 3, Schedules Nos. 1 to 17 inclusive, of Central Truck Lines, Inc., and it now appearing that the said company desires to change Time Table No. 3, Schedule No. 6, and Time Table No. 3, Schedule No. 15, in order that it might put into effect certain operation economies:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that Time Table No. 3, Schedule No. 6, and Time Table No. 3, Schedule No. 15, hereto attached and made a part of this Order, of Central Truck Lines, Inc., be and the same are hereby **APPROVED** and substituted for Time Table No. 3, Schedule No. 6, and Time Table No. 3, Schedule No. 15, approved by Order No. 1044, these schedules to be and become effective as of December 8, 1937.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 21st day of December 1937.

ORDER NO. 1053,

DOCKET NO. 349.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF P. T. MALONE, DOING BUSINESS AS P. T. MALONE HORSE PULLMAN SERVICE OF CORAL GABLES AND HIALEAH, FLORIDA, FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A LIMITED COMMON CARRIER TO TRANSPORT RACE HORSES AT IRREGULAR INTERVALS DAILY BETWEEN TWO RACE TRACKS IN DADE COUNTY, FLORIDA.

1. By Order No. 1045 dated December 20, 1937 application of P. T. Malone, doing business as P. T. Malone Horse Pullman Service of Coral Gables and Hialeah, Florida, for a Certificate of Public Convenience and Necessity as a limited common carrier transporting race horses between the race tracks in Dade County, Florida, was denied.

2. The applicant on December 20, 1937 filed with this Commission his petition for a reconsideration of this matter praying that a Certificate be granted to him authorizing the transportation of race horses between the Hialeah race track and Tropical Park race track and return, all in Dade County, Florida, and attached to said petition affidavits of certain owners and trainers of race horses stabled either at Hialeah Race Track or Tropical Park Race Track, alleging that the two companies now engaged in transporting race horses render service and have equipment that have many objectionable features, but no allegation appears in said affidavits as to what said objectionable features were, and no affidavit was made that the said trainers and owners would testify to these facts in the event another hearing was granted.

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that said petition for reconsideration be and the same is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 29th day of December 1937.

COMMISSIONER DOUGLASS DISSENTS.

ORDER NO. 1054,

DOCKET NO. 485.

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA

IN RE: APPLICATION OF SOUTHEASTERN MOTOR EXPRESS, INC., A FLORIDA CORPORATION, FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A CONTRACT CARRIER TRANSPORTING MOTION PICTURE FILMS, ADVERTISING MATERIAL AND OTHER RELATED GOODS, WARES AND MERCHANDISE USED IN CONNECTION WITH SUCH FILMS FOR SPARKS CIRCUIT, INC., TO VARIOUS EXHIBITORS IN THE STATE OF FLORIDA USING THE HIGHWAYS OF THE STATE.

1. Pursuant to Notice No. 561 dated November 26, 1937, and Notice No. 562 amending said Notice No. 561, the application of Southeastern Motor Express, Inc., for a Certificate of Public Convenience and Necessity as a Contract Carrier transporting motion picture films and advertising matter for Sparks Circuit, Inc., between Jacksonville, Florida, and St. Petersburg, Florida, between Haines City and Arcadia, between Dade City and Orlando, between Jacksonville and Marianna, between Tarpon Springs and Tampa, and between Jacksonville and Miami, using various highways of the State of Florida, came on for formal hearing at the Mayflower Hotel, Jacksonville, Florida, on Monday, December 13, 1937. And then and there appeared the following:

Fred H. Kent for the applicant, Southeastern Motor Express, Inc.,

W. J. Oven for Receivers of Seaboard Air Line Railway Company, protestant,

Blair Foster of Atlanta, Georgia for Railway Express Agency, protestant.

Geo. N. K. Sutton and F. B. Langley for Atlantic Coast Line Railroad Company, protestant, and other interested parties.

2. Sparks Circuit, Inc., is a Florida corporation which licenses motion picture films for exhibition in a group of between ninety and one hundred theatres located in the State of Florida; the theatrical equipment in such theatres is either owned by Paramount Theatres individually, by E. J.

Sparks and associates or by Paramount Theatres, Inc., and Sparks jointly. Southeastern Motor Express, Inc., is a Florida corporation organized for the purpose of transporting motion picture films and accessories to such theatres. The entire stock of Southeastern Motor Express, Inc., is owned by Sparks Circuit, Inc., and the officers of Southeastern Motor Express, Inc., and Sparks Circuit, Inc., are the same. Sparks Circuit, Inc., operates all of the above mentioned theatres. Eighty per cent of the films that will be used and distributed to these various theatres will be distributed out of exchanges in Atlanta, Georgia. Twenty per cent will be distributed out of Tampa and Jacksonville. All of the films are made out of the State of Florida, either in California or New York, except a few news-reels that might be made in the State. There are six major exchanges such as Paramount, Metro, United Artists, Fox, Warner and Universal. Only Paramount of the major exchanges has an exchange in Florida. Most of these companies make what is known as feature films and shorts. A short subject is a one reel comedy, cartoon, pictorial or musical; a feature is a picture made with various stories, drama, comedy, music and history. Both features and shorts have what is known as a national release date which is the same throughout the United States. All of the major exchanges, except Paramount, have their offices in Atlanta and distribute both features and shorts out of Atlanta for Florida. For instance Vitagraph, Inc., distributes films of Warner Brothers, First National and Vitaphone shorts. Vitagraph, Inc., is a film exchange located in Atlanta and is a distributing and selling organization that makes contracts with the various theatres throughout its territory and distributes films to theatres having such contracts. The distributor in a great majority of cases distributes the film in the manner the exhibitor wants it transported. This company made about sixty features and about one hundred and seventy reels of shorts during the year, and it has for distribution in the State of Florida five or six prints. These films are booked for distribution at the various theatres in Florida in advance of the release date of such films. Contracts are made with the various theatres for the showing of such films, and it is desirable on the part of the company that these films be returned to Atlanta at frequently as possible for inspection though it is not imperative that they be so returned. These films are shown first at what are called the first run theatres and then at the second and third and last run theatres and it usually takes between twelve and eighteen months to liquidate the films through all of the

theatres in Florida. The films are leased generally on a flat rental basis to the various exhibitors; sometimes a contract is made, especially with the smaller theatres, whereby the distributors receive a certain per cent of the gross receipts. Each of the major exchanges has a booking agent and these agents sell a year's production of films in advance, and at the present time the bookings indicate where the feature films and shorts will be exhibited each day in the year. The present method of distribution of the films out of Atlanta is by the use of Railway Express Agency. The films are gathered from the various exchanges by a forwarding company in Atlanta and the films are bundled together, labeled and shipped to the various exhibitors in the State of Florida via Railway Express Agency. When the booking contracts are first made the actual dates when the pictures will be shown in a particular theatre are not known. The exchange contracts with an exhibitor, for instance, to show sixty pictures during the year and when the advance release date is known the exhibitor gets a notification of that release and he in turn sends to the exchange the bookings when they want them, that is what days of the week a certain picture is wanted. All of this, however, is done in advance of the actual showing of a picture. When the exhibitor decides when he wants a certain feature he notifies the booking office in Atlanta sometimes two weeks, four weeks or six weeks, and sometimes just a day in advance, but at all times the booking office in Atlanta knows what theatres in Florida are showing these particular features or shorts. This was the testimony of all the representatives of the major exchanges who testified at this hearing as to the present method of handling moving picture films.

3. The booking contracts are between residents of the different States and contemplate the leasing of a print by a picture exchange of one State to an exhibitor in another. The print is to be transported from one State and used in another. The commodity, that is the picture film, is consigned directly to the exhibitor and is clearly a movement in interstate commerce. Over this movement as now made this Commission has no jurisdiction.

4. It is contended, however, that the Southeastern Motor Express, Inc., has been organized for the purpose of transporting these films by motor truck from Jacksonville to these various points and picture houses in the State of Florida, and that such altered circumstances puts an end to the interstate character of the transaction and transforms it into

an intrastate one. The applicant proposes to use eight trucks and has divided the State into certain routes so that it may distribute the films from its distribution depot in Jacksonville to the various picture houses now served by Sparks Circuit, Inc. It contends that it will be enabled to make faster and better transportation by truck, that the liquidating period of each print will be lessened, that the companies will be better served and that the patrons of the various picture shows in the State will be enabled to see a first run picture earlier than is now the case. It proposes to operate a depot in Jacksonville where films would be received from the Film Forwarding Agency of Atlanta and all deliveries, transfers and circuit shipments for the Sparks Circuit, Inc., are to be made out of Jacksonville to and from their different theatres in the State and then returned to Jacksonville for repair or storage, and after the film has completed its circuit to be sent by Railway Express Agency, or other common carriers, to Atlanta. The applicant, Southeastern Motor Express, Inc., who propose to transport these films by truck, would get its information from the forwarding company in Jacksonville as to where a particular film was to be taken. The film will be shipped to Jacksonville for distribution throughout Florida at any theatre that the Sparks Circuit, Inc., may ship it to, and Sparks Circuit, Inc., would keep the distributor advised as to where that film was to be shown on a certain date. In other words, it is contended that the destination of a certain film is not known when it leaves Atlanta but that Sparks Circuit, Inc., might change the destination after that film reaches Jacksonville and send it to some theatre for exhibition in Florida not known to the film exchange at the time the film left Atlanta, but before doing so the booking department of the exchanges in Atlanta would be advised of the change in routing of such film. There is some conflict in the testimony on this point. It is evidently the contention of the applicant that the intermediate delivery of the films to the Jacksonville agency ended the movement of the commodity in interstate commerce, and that the subsequent movement was a separate and distinct movement in intrastate commerce. It seems that the stopping of the film in Jacksonville, and its transportation thereafter by truck to the various exhibitors in the State of Florida, was merely the halting of the movement of the film as a convenient step in the process of getting it to its final destination. It is a general rule that where transportation has acquired an interstate character "it continues at least until the load reaches the point where the parties originally intended that the movement should finally end."

5. It was not contended by the applicant that the service rendered by American Railway Express Agency was inadequate, except in one or two isolated instances where it is claimed the movement of the film was halted by reason of inability to move on Sunday. It was pointed out, however, that where there was no express agent at a point, or that the office was closed on Sunday, the Express Agency had made arrangements with the railroad company to accept and transport motion picture films in the baggage car. It was also testified by representatives of the Railway Express Agency that the Express Company stood ready and willing to make any change in its service that would expedite the movement of this commodity. It claimed that the revenue from this movement was very substantial and was material to the welfare of the Express Company in Florida, and that the granting of this Certificate to the applicant would mean a substantial loss to the Railway Express Agency in revenue and in business, and a curtailment of its operating force. The Express Company also filed a number of exhibits which showed double daily service practically to all the points to which these films move.

6. From a careful consideration of the evidence in this case the Commission is of opinion that the present method of handling moving picture films into and throughout the State of Florida is clearly interstate over which movement the Interstate Commerce Commission has sole jurisdiction to issue Certificates of Public Convenience and Necessity to truck operators. Whether or not the proposed operation so changes the circumstances attendant upon the movement of these films through a local agency authorized to distribute them out of Jacksonville to various points in Florida as to put an end to the interstate feature of the movement and transform it into one purely intrastate, is not entirely clear from the record. However, it is unnecessary to decide this question as the Commission is of opinion that the testimony clearly indicates that public convenience and necessity does not require the granting of the application.

Wherefore, it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the application of Southeastern Motor Express, Inc., for a Certificate of Public Convenience and Necessity as a private contract carrier hauling films and other accessories under contract for Sparks Circuit, Inc., to various points in Florida and over its various roads, be and the same is hereby **DENIED**.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 16th day of December 1937.

ORDER NO. 1055,

DOCKET NO. 100-5.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

IN RE: APPLICATION OF L. & L. FREIGHT LINES, INC., OF MIAMI, FLORIDA, FOR AN EXTENSION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 14, AUTHORIZING IT TO OPERATE IN INTRASTATE CARRIAGE AS A COMMON CARRIER OF PROPERTY FROM GAINESVILLE TO HIGH SPRINGS, THENCE TO BRANFORD, THENCE TO LIVE OAK, THENCE TO TALLAHASSEE AND THENCE TO MARIANNA OVER STATE HIGHWAYS NOS. 2, 5-A, 50 AND 1; THENCE FROM TALLAHASSEE TO FLORIDA-GEORGIA STATE LINE OVER STATE HIGHWAY NO. 10 AND RETURNING OVER THE SAME ROUTES; ALSO FROM TALLAHASSEE THROUGH APALACHICOLA TO PORT ST. JOE AND RETURN OVER STATE HIGHWAY NO. 10; ALSO FROM TALLAHASSEE TO PERRY TO WILLISTON OVER STATE HIGHWAY NO. 19, FROM WILLISTON TO DUNNELLON OVER STATE HIGHWAY NO. 5, FROM WILLISTON TO OCALA OVER STATE HIGHWAY NO. 19, FROM OCALA TO DUNNELLON OVER STATE HIGHWAY NO. 74 AND A-1, FROM DUNNELLON TO TAMPA OVER STATE HIGHWAY NO. 5 AND RETURNING OVER SAME ROUTES. APPLICANT DESIRES ALTERNATE ROUTES FROM WILLISTON TO DUNNELLON, SOUTH VIA STATE HIGHWAY NO. 5 AND ALSO SOUTH AND EAST INTO OCALA OVER STATE HIGHWAY NO. 19, AND SOUTH AND WEST FROM OCALA OVER STATE HIGHWAY NO. 74, AND TO OPERATE INTO OCALA ONLY WHEN IT HAS FREIGHT FOR THAT POINT. THE APPLICANT ALSO UPON ORDER OF THE COMMISSION WILL OPERATE FROM GAINESVILLE TO HIGH SPRINGS WITH CLOSED DOORS.

This cause coming on to be heard on the record made in these proceedings, and it appearing that all parties entitled to notice and to be heard have had such notice and have been heard, and the Railroad Commission of the State of

Florida, being fully advised in the premises and having reached conclusions as expressed in its opinion this date filed in this proceeding and made a part of this Order.

It is, therefore, CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of the L. & L. Freight Lines, Inc., for an extension of its Certificate of Public Convenience and Necessity to operate as a common carrier by motor vehicle transporting property between the points, and over the State highways mentioned and described in its application, and more particularly described in the caption hereof, be and the same is hereby DENIED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 16th day of December 1937.

OPINION

BEFORE THE RAILROAD COMMISSION OF THE STATE OF FLORIDA

IN RE: APPLICATION OF L. & L. FREIGHT LINES, INC., OF MIAMI, FLORIDA, FOR AN EXTENSION OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 14, AUTHORIZING IT TO OPERATE IN INTRASTATE CARRIAGE AS A COMMON CARRIER OF PROPERTY FROM GAINESVILLE TO HIGH SPRINGS, THENCE TO BRANFORD, THENCE TO LIVE OAK, THENCE TO TALLAHASSEE AND THENCE TO MARIANNA OVER STATE HIGHWAYS NOS. 2, 5-A, 50 AND 1; THENCE FROM TALLAHASSEE TO FLORIDA-GEORGIA STATE LINE OVER STATE HIGHWAY NO. 10 AND RETURNING OVER THE SAME ROUTES; ALSO FROM TALLAHASSEE THROUGH APALACHICOLA TO PORT ST. JOE AND RETURN OVER STATE HIGHWAY NO. 10; ALSO FROM TALLAHASSEE TO PERRY TO WILLISTON OVER STATE HIGHWAY NO. 19, FROM WILLISTON TO DUNNELLON OVER STATE HIGHWAY NO. 5, FROM WILLISTON TO OCALA OVER STATE HIGHWAY NO. 19, FROM OCALA TO DUNNELLON OVER STATE HIGHWAY NO. 74 AND A-1, FROM DUNNELLON TO TAMPA OVER STATE HIGHWAY NO. 5 AND RETURNING OVER SAME ROUTES. APPLICANT DESIRES ALTERNATE ROUTES FROM WILLISTON TO DUNNELLON, SOUTH VIA STATE HIGHWAY NO. 5 AND ALSO SOUTH AND EAST INTO OCALA OVER STATE HIGHWAY NO. 19,

AND SOUTH AND WEST FROM OCALA OVER STATE HIGHWAY NO. 74, AND TO OPERATE INTO OCALA ONLY WHEN IT HAS FREIGHT FOR THAT POINT. THE APPLICANT ALSO UPON ORDER OF THE COMMISSION WILL OPERATE FROM GAINESVILLE TO HIGH SPRINGS WITH CLOSED DOORS.

APPEARANCES:

Leo P. Kitchen and Dan R. Schwartz and J. R. Kelley for applicant, L. & L. Freight Lines, Inc.,

Blair Foster of Atlanta, Georgia, for Railway Express Agency, protestant,

Geo. A. K. Sutton and F. B. Langley for Atlantic Coast Line Railroad Company, protestant,

W. J. Oven for Seaboard Air Line Railway Company, protestant,

J. Velma Keen, Sidney Allen and T. B. Smith for Central Truck Lines, Inc., protestant,

Geo. Gore and J. A. Shuler for Apalachicola Northern Railroad Company, protestant,

C. J. Gunn for University City Transfer, protestant,

Edward Drake, Jr., and J. A. Bliss for St. Johns River Line Company, protestant,

J. A. Pittman and Alfred A. Redd for Pittman Truck Line, protestant, and other interested parties.

L. & L. Freight Lines, Inc., the applicant, is engaged in common carriage of freight by motor vehicle under authority of Certificate of Public Convenience and Necessity Nos. 14 and 70, and now operates over the following routes:

From the Georgia-Florida State line south through Jacksonville to Miami over State Highway No. 4; from Jacksonville south through Palatka to Orlando over State Highway No. 3; from Orlando east to Indian River City over State Highway No. 22 and north over State Highway No. 4 at Indian River City to Jacksonville; from Jacksonville west to Baldwin over State Highway No. 1; from Baldwin south-west to Gainesville over State Highway No. 13; also beginning at Satsuma on State Highway No. 3 it operates west to Welaka and thence to Crescent City over County roads; at East Palatka on State

Highway No. 3 it operates over Highway No. 14 to Hastings, and at Daytona Beach on Highway No. 4 it operates west over State Highway No. 21 to DeLand.

On September 21, 1936, the applicant filed its present application for authority to extend its operations in intrastate carriage as a common carrier of property from Gainesville to High Springs, thence to Branford, thence to Live Oak, thence to Tallahassee and thence to Marianna over State Highways Nos. 2, 5-A, 50 and 1; thence from Tallahassee to Florida-Georgia State line over State Highway No. 10 and returning over the same routes; also from Tallahassee through Apalachicola to Port St. Joe and return over State Highway No. 10; also from Tallahassee to Perry to Williston over State Highway No. 19, from Williston to Dunnellon over State Highway No. 5, from Williston to Ocala over State Highway No. 19, from Ocala to Dunnellon over State Highway No. 74 and A-1, from Dunnellon to Tampa over State Highway No. 5 and returning over same routes. Applicant desires alternate routes from Williston to Dunnellon south via State Highway No. 5 and also south and east into Ocala over State Highway No. 19, and south and west from Ocala over State Highway No. 74, and to operate into Ocala only when it has freight for that point. The applicant also upon order of the Commission will operate from Gainesville to High Springs with closed doors.

Upon the passage of the Federal Motor Carrier Act 1935 by Congress on August 9, 1935, the applicant filed its application with the Interstate Commerce Commission, Washington, D. C., for authority to operate in interstate commerce from the Georgia-Florida State line to Tallahassee over State Highway No. 10, and thence south from Tallahassee to Ocala over State Highway No. 19; thence from Ocala to Dunnellon over State Highway No. 74, and from Dunnellon to Tampa over State Highway No. 5, also from Williston to Dunnellon over State Highway No. 5, and thence to Tampa; also from Tallahassee east to Live Oak over State Road No. 1, and from Tallahassee west to Marianna over State Highway No. 1.

Under authority of the Act the applicant is now operating over these routes and serving these points in exclusive interstate commerce until the Interstate Commerce Commission passes upon its application for a Certificate. A hearing has been held on this application by the Interstate Commerce Commission but no action has been taken by it on such application.

By Notice No. 538 dated March 5, 1937, the present application was set down for hearing before the Railroad Commission at Tallahassee, Florida, on March 24, 1937. Hearings were held on March 24th and 25th, 1937; May 10th to 11th, 1937 and July 6th, and concluded on July 7th, 1937. A record of more than twelve hundred pages were compiled and many exhibits were filed in the proceeding. A period of fifteen days after receipt of the record was allowed for filing briefs.

At the opening of the hearing Central Truck Lines, Inc., a certificated carrier, filed its petition of intervention and set out that it was a certificated motor carrier over State Highway No. 1, from Jacksonville to Live Oak serving intermediate points, and it also operated between Tampa and Jacksonville serving Gainesville and various other points sought to be served by the present applicant, and that if public convenience and necessity were found to exist for any extension of its service it had ample facilities to extend its operations upon order of the Commission. This petition of Central Truck Lines was granted in order that it might appear and protect such rights as it might have in routes sought to be served by the present applicant.

The applicant produced many witnesses from the communities along the routes and highways it sought to operate over who testified as to the great convenience to those living along such highways and in the various communities of transportation by truck. Many of these witnesses testified that these highways are now being used by private trucks and that in their opinion the granting of this application would remove a great many of the private carriers, as the shippers would prefer to ship by a regulated carrier. It seemed to be the theory of the applicant that the establishment of a certificated motor freight carrier over these various highways would eliminate many of these private carriers and thus eliminate much of the traffic by truck over such highways. That the establishment of such certificated line would not have any serious effect on existing transportation facilities since such certificated carrier would create its own traffic and tonnage by taking it away from the private carriers, and that granting of a certificate over the routes sought in the application would enable these communities to receive the benefit of truck transportation which it claims is now lacking. Some of the witnesses who appeared for the applicant apparently were ignorant of train schedules, express service and even of certificated truck service, in some cases. Some of them, for instance, appeared not to know that Central Truck Lines,

Inc., served some of these points and that the University City Transfer served a great many of the points from Gainesville to Cedar Key and up to Cross City. While some of these witnesses were prominent and large business people, the great majority were farmers, filling station operators or small store keepers who live along the roads over which this operation was sought.

The protesting motor carriers, Central Truck Lines, Inc., and University City Transfer, and the rail lines and express agency, also produced a great number of witnesses from the territory involved in this meeting, all of whom testified that they were now using the rail service and the existing motor service and found the same entirely adequate for their needs. In addition to this, testimony was adduced by officers and operating officials of the rail lines and motor lines and of the express company showing in detail the present service which is now being given between every point on the route proposed to be served, both by freight service of the rail lines and motor lines and express service by fast passenger trains. Testimony was also given by protestants that the operation of the applicant, and the schedules proposed, were in many cases over circuitous routes, especially the route from Jacksonville through Tallahassee to Marianna, as the proposed service would operate out of Jacksonville via Baldwin, Lawtey, Starke, Gainesville, High Springs, Fort White, Branford to Live Oak and thence via Ellaville, Lee, Madison, Monticello and Tallahassee. This distance is more than two hundred and twenty-seven miles, whereas the direct route by rail is one hundred and seventy-two miles.

The applicant bases its application for a Certificate upon proof of public convenience and necessity. This phrase has never been defined by the lawmakers, nor has it ever been defined in any precise way by the Courts. Each case must be decided on its own peculiar facts when weighed in the light of the declared legislative purpose of the statute.

The purpose of issuing Certificates of Public Convenience and Necessity is not solely for the advantage and benefit of the applicant requesting it but is primarily for the public convenience and general welfare which are always paramount. The general policy of the law is to avoid duplication of investments and maintenance and operating expenses, and to avoid inordinate commercial traffic on the highways that would tend to congestion and danger to traffic in general. The law discourages destructive competition with existing

transportation facilities. Therefore, when a new carrier desires to secure a certificate over a route and in a territory, despite the fact that others are in the field, it is necessary for it to show that the existing service is not adequate to serve the public need. The Railroad Commission is required under the statute to take into consideration the effect that the granting of certificates may have upon transportation facilities within the territory sought to be served, also the effect upon transportation as a whole within said territory.

The evidence submitted in this proceeding is convincing that there already exist abundant, and perhaps superabundant, transportation facilities in the territory sought to be served by the applicant. No testimony was produced which shows that such transportation facilities are inadequate to the needs of the public, and that the granting of this application and the enlargement of the existing operation, and the increase in transportation facilities as a whole in the territory are required in the interest of public convenience and necessity. Therefore, it is the opinion of the Commission that it is without authority to grant its approval to the inauguration of this new service.

The application, therefore, must be denied.

An appropriate Order will be entered.

Dated at Tallahassee, Florida, this 16th day of December 1937.

ORDER NO. 1056,

DOCKET NO. 216.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: APPLICATION OF L. R. POWELL, JR., AND
HENRY W. ANDERSON, AS RECEIVERS OF SEABOARD
AIR LINE RAILWAY COMPANY, A CORPORATION, FOR
A CERTIFICATE OF PUBLIC CONVENIENCE AND NEC-
CESSITY TO TRANSPORT FREIGHT, EXPRESS AND/OR
UNITED STATES MAIL IN INTRASTATE COMMERCE
ONLY BY MOTOR VEHICLE DAILY EXCEPT SUNDAY
BETWEEN JACKSONVILLE, AND FERNANDIA, FLOR-
IDA, OVER STATE ROADS NOS. 3 AND 13, UNDER THE
PROVISIONS OF CHAPTER 18027, ACTS OF 1937.**

1. On November 9, 1937, the applicant filed an application for an extension of their Certificate of Public Convenience and Necessity No. 183 to operate motor vehicles in the transportation of freight, express and/or United States mail in intrastate commerce only between Jacksonville and Fernandina, Florida, over State Highways Nos. 3 and 13. By Order No. 1043 dated November 17, 1937 this Commission granted said application. In writing said order No. 1043 it appears that authority to operate was only granted between Jacksonville and Yulee when the application was for authority to operate between Jacksonville and Fernandina, Florida.

2. This error having been called to the attention of the Commission, it is Ordered that Order No. 1043 be amended by striking out Yulee and inserting in lieu thereof Fernandina so that the Order will read as follows:

Wherefore, it is CONSIDERED, ORDERED AND ADJUDGED by the Railroad Commission of the State of Florida that the application of L. R. Powell, Jr., and Henry W. Anderson, Receivers of Seaboard Air Line Railway Company for an extension of their Certificate of Public Convenience and Necessity No. 183, authorizing them to operate motor vehicles for the transportation of freight, express and/or United States mail between Jacksonville and Fernandina, Florida, over State Highways Nos. 3 and 13, under the provisions of Chapter 14764, as amended by Chapter 18027, Acts of 1937, be and the same is hereby GRANTED.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 5th day of January 1937.

ORDER NO. 1057,

DOCKET NO. 100-135.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: COMPLIANCE OF SOUTHEASTERN GREYHOUND
LINES, A KENTUCKY CORPORATION, WITH THE
TERMS AND CONDITIONS OF ORDER NO. 1010, DOCKET
NO. 100-135, DATED APRIL 22, 1937.**

1. It appearing that by Order No. 1010, dated April 22, 1937, approval of the transfer and assignment of Certificate of Public Convenience and Necessity No. 1, covering inter-

state operations between Jacksonville and the Georgia-Florida State line via Lake City over State Highways Nos. 1 and 2, together with intrastate rights between Lake City and the Georgia State line over State Highway No. 2, by Southeastern Greyhound Lines, Inc., of Delaware to Southeastern Greyhound Lines, a Kentucky Corporation, was approved to be and become effective when the Southeastern Greyhound Lines, a Kentucky corporation, had acquired the assets of the Southeastern Greyhound Lines, Inc., a Delaware corporation, and a written instrument defining such assets be actually executed and a copy thereof filed with this Commission, and when both corporations had filed reports with this Commission showing a conclusion of the operation by the Delaware corporation and the assumption of operation by the Kentucky corporation.

2. It now appearing that the requirements of said Order No. 1010 have been fully met, as appears by copy of a letter to the Secretary of State of the State of Florida, dated December 30, 1937, and by a copy of an agreement dated December 31, 1937, between the Southeastern Greyhound Lines, Inc., of Delaware and Southeastern Greyhound Lines, a Kentucky corporation, and by joint statement of these two companies to this Commission that the operations of Southeastern Greyhound Lines, Inc., a Delaware corporation will be concluded within the State of Florida on December 31, 1937, and that such operations will be assumed by Southeastern Greyhound Lines, a Kentucky corporation on said date, a copy of such letter, agreement and statement being attached hereto and made a part of this Order:

Wherefore it is **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that the transfer and assignment by Southeastern Greyhound Lines, Inc., of Delaware of Certificate of Public Convenience and Necessity No. 1, covering interstate operations between Jacksonville and the Georgia-Florida State line via Lake City over State Highways Nos. 1 and 2, together with intrastate rights between Lake City and the Georgia-Florida State line over State Highway No. 2, to Southeastern Greyhound Lines, a Kentucky corporation, be and the same is hereby **APPROVED** effective as of December 31, 1937.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 31st day of December 1937.

ORDER NO. 1058,

DOCKET NO. 100-145.

**BEFORE THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA**

**IN RE: APPROVAL OF CERTAIN SCHEDULES OF HUNT
TRUCK LINE OF LAKE LAND, FLORIDA.**

This matter coming on before the Commission upon application of Hunt Truck Line to approve certain schedules between Frost Proof, Avon Park and Sebring, and it appearing that Hunt Truck Line has entered with an agreement with Central Truck Lines, Inc., by which the Hunt Truck Line has agreed to operate certain schedules of the Central Truck Line, Inc., until the joint application of Hunt Truck Line and Central Truck Lines, Inc., to transfer certain rights of Central Truck Lines, Inc., to Hunt Truck Line has been determined by the Railroad Commission:

It is, therefore, **CONSIDERED, ORDERED AND ADJUDGED** by the Railroad Commission of the State of Florida that Time Table No. 2, Schedule No. 2-A, copy of which is attached hereto and made a part of this order of Hunt Truck Line, be and the same is hereby **APPROVED** until the further order of this Commission.

DONE AND ORDERED by the Railroad Commission of the State of Florida, in session at its office in the City of Tallahassee, Florida, this 31st day of December 1937.

During the calendar year 1937 the Commission had on an average of ten inspectors whose duties among other things included the enforcement of provisions of the Florida Motor Transportation Act. During that period the inspectors made 331 arrests, out of which there were 280 convictions, 43 cases were dismissed and two are now pending. The inspectors during the same period traveled 229,354 miles in the performance of their duties.

COMMON CARRIERS

B—Denotes Bus

T—Denotes Truck

- B—Atlantic Greyhound Corp.
601 Virginia St.,
Charleston, W. Va.
- T—Atlantic Coast Line R. R. Co.,
Port Tampa, Florida.
- T—Akins, W. L. Transpt., Inc.,
1418 W. Church St.,
Jacksonville, Florida.
- T—Acme Freight Lines, Inc.,
141 Davis St.,
Jacksonville, Florida.
- T—Brown Motor Freight
Lines, Inc.,
Foot of Newman St.,
Jacksonville, Florida.
- T—Bee Line Transfer Co.,
237 So. Water St.,
Tampa, Florida.
- T—C. & H. Transfer & Stg. Co.,
Ft. Lauderdale, Florida.
- T—Chartman Transfer Co.,
Thomasville, Georgia.
- T—Central Truck Line, Inc.,
405 Eunice St.,
Tampa, Florida.
- T—Elliott-Young Consolidated,
Inc.,
1520 Clare Ave.,
West Palm Beach, Florida.
- B—Ft. Myers Transit Co.,
Ft. Myers, Florida.
- T—Florida East Coast Railway
Company,
St. Augustine, Florida.
- T—Fogarty Bros. Transfer
Co., Inc.,
824 12th Ave.,
Bradenton, Florida.
- B—Florida Motor Lines Corp.,
1020 Barnett Nat'l Bank Bldg.,
Jacksonville, Florida.
- T—Five Transportation Co.,
301 Gloucester St.,
Brunswick, Georgia.
- B—Green, Mrs. Aileen,
DeLand, Florida.
- T—Green Bros. Transfer Co.,
Box 52,
Clearwater, Florida.
- B—Gulf Crescent Motor Lines,
Gainesville, Florida.
- B—Georgia Stages, Inc.,
Albany, Georgia.
- T—Great Southern Trucking Co.,
1961 Clarkson St.,
Jacksonville, Florida.
- B—Gulf Coast Motor Lines, Inc.,
Tampa, Florida.
- T—Hunt Truck Line,
302 N. Jefferson Ave.,
Tampa, Florida.
- T—Highway Transportation Co.,
Blountstown, Florida.
- T—Independent Transfer Co.,
1212 New Castle St.,
Brunswick, Georgia.
- T—K. & L. Transport Co., Inc.,
802 Ava St.,
Waycross, Georgia.

- B—Kettner, Mary M.,
127 Sea Spray Ave.,
West Palm Beach, Florida.
- T—L. & L. Freight Lines, Inc.,
1418 Church St.,
Jacksonville, Florida.
- B—Lees Coach Lines,
Marianna, Florida.
- B&T—McJunkin, Wayne F.,
Box 194,
Fernandina, Florida.
- B—Monroeville Bus Co.,
Monroeville, Alabama.
- B—Myers, Fred W.,
1161 N. W. 2nd St.,
Miami, Florida.
- T—Matthews, D. H. Truck Line,
259 N. W. 4th St.,
Miami, Florida.
- T—Marshall, Henry,
Ft. Lauderdale, Florida.
- T—Overseas Transpt. Co., Inc.,
228 S. W. River Dr.,
Miami, Florida.
- T—Peters Truck Line,
186 W. King St.,
St. Augustine, Florida.
- T—Pittman Truck Line,
Pensacola, Florida.
- B—Rooks, H. O.,
Bristol, Florida.
- B—Redd, Henry J.,
Tallahassee, Florida.
- T&B—Seaboard Air Line Ry. Co.,
Norfolk, Va.
- T—St. Johns River Line Co.,
Ft. Ocean St. W.,
Jacksonville, Florida.
- B—Southeastern Greyhound
Lines, Inc.,
67 Ellis St., E.,
Atlanta, Georgia.
- T&B—St. Andrews Bay
Transp. Co.,
Panama City, Florida.
- T—Star Truck Line,
230 S. Water St.,
Tampa, Florida.
- B—Seminole Coach Company,
St. Augustine, Florida.
- B—Southern Tours, Inc.,
25 4th St., N.,
St. Petersburg, Florida.
- B—Town of Pass-a-Grille,
Pass-a-Grille, Florida.
- B—Teche Lines, Inc.,
400 N. Rampart St.,
New Orleans, La.
- T—Tarpon Truck Line,
Tarpon Springs, Florida.
- T&B—Tamiami Trail Tours, Inc.,
P. O. Box 1075,
Tampa, Florida.
- T—University City Transfer,
226 W. Main St., South,
Gainesville, Florida.
- B—Union Bus Co.,
124 Jefferson St.,
Jacksonville, Florida.
- T—Union Express Frt. Co.,
N. W. Corner Commerce &
Conti Street,
Mobile, Alabama.
- T—Walters, C. A.,
Elfers, Florida.
- LIMITED COMMON CARRIERS**
- T—Harrell Transfer Company,
Tallahassee, Florida.

CONTRACT CARRIERS

Blue's Truck Line, Inc.,
Live Oak, Florida.

Burgess, Arthur S.,
Ocala, Florida.

Cox, Percy,
597 N. W. 69th St.,
Miami, Florida.

Coats Motor Transfer Co.,
Ft. Pierce, Florida.

Cooper Truck Line,
Rt. 5, Box 94,
Jacksonville, Florida.

Creeden, G. J.,
Orlando, Florida.

Curran, D. J.,
Jacksonville, Florida.

Florida Highway Express Co.,
Madison & Brush Sts.,
Tampa, Florida.

Goodell Bros. Truck Line,
Lake City, Florida.

Green Transfer Co.,
P. O. Box 52,
Tampa, Florida.

Gooding, J. M.,
Woodbine, Georgia.

Holstun & Sons,
Ocala, Florida.

James, Mrs. Susie G.,
7606 Nebraska Ave.,
Tampa, Florida.

Kelley, J. J.,
Orlando, Florida.

Peterson, L. L.,
Lakeland, Florida.

National Convoy & Trucking Co.,
Box 781,
Jacksonville, Florida.

Newhall, John E.,
Standard Oil Plant No. 1,
Tampa, Florida.

Nutt, John P. Corp.,
P. O. Box 677,
Jacksonville, Florida.

Ryder Trucking Co.,
93 N. E. 20th St.,
Miami, Florida.

Ridgeway Transfer Co., Inc.,
Daytona Beach, Florida.

Robinson Transfer,
641 N. Lexington Ave.,
Orlando, Florida.

Smith, E. S.,
Jacksonville, Florida.

Terminal Transfer Co.,
% A. & P. Tea Co.,
Jacksonville, Florida.

Warehouse, Inc.,
Tampa, Florida.

Yarnall Warehouse,
Lakeland, Florida.

CERTIFICATE OF REGISTRATION

Allied Van Lines, Inc.,
1018 S. Wabash Ave.,
Chicago, Ill.

Alabama Transfer & Stg. Co.,
501 N. Perry St.,
Montgomery, Ala.

Baggett Transport Co., Inc.,
2417 First Ave., So.,
Birmingham, Alabama.

Burnett, Geo. F. Co., Inc.,
1204 Prarie Ave.,
South Bend, Ind.

Chattanooga Transfer &
Storage Co., Inc.,
915 Carter St.,
Chattanooga, Tenn.

Continental Carriers, Inc.,
215 Courtland St., N. E.,
Atlanta, Georgia.

DeVane, Charles,
Rt. 2,
Dothan, Alabama.

Dealers Transport Co.,
7009 S. Chicago Ave.,
Chicago, Illinois,

Dove, John H.,
110 S. St. Andrews St.,
Dothan, Alabama.

Dean, J. L.,
Pinckard, Alabama.

Ellis Moving Co. &
Safe Van Lines,
235 Main St.,
Nashville, Tenn.

Furgate & Girton Driveway Co.,
Brazil, Indiana.

Greyvan Lines, Inc.,
1118 S. Michigan Ave.,
Chicago, Illinois.

Harris Transfer & Warehouse Co.,
8 South 13th St.,
Birmingham, Alabama.

Harrell Transfer Co.,
306 N. 21st,
Birmingham, Alabama.

Howard Hall Co., Inc.,
2809 Second Ave., S.,
Birmingham, Alabama.

Juett, Howard W.,
15 S. Erwin St.,
Cartersville, Georgia.

Kenosha Auto Transport Corp.,
Kenosha, Wis.,

Keal, I. E.,
810 E. 82nd St.,
Cleveland, Ohio.

Lawerence Brothers,
Chapel Hill, Tennessee.

Malcom & Malcom,
2309 McRae St.,
Orlando, Florida.

Mrazek, J. A. Transfer &
Storage Co.,
511 Locust St.,
St. Louis, Mo.

O. K. Storage & Tr. Co., Inc.,
161 Jefferson Ave.,
Memphis, Tennessee.

Pan-American Bus Lines,
Charlotte, N. C.

Pindleton, Wm. F.,
Valdosta, Georgia.

Philadelphia Detroit Lines, Inc.,
119 Center Ave.,
Butler, Pa.

Quidley, Hattie A.,
Charleston, N. C.

R. C. Motor Lines,
High Point, N. C.

Russell C. House Transfer
& Stg. Co.,
135 Auburn Ave.,
Atlanta, Georgia.

Sloan's Moving & Stg. Co., 1167 Hodiament Ave., St. Louis, Mo.	Thomas, Wm. M., Box 13, Valdosta, Georgia.
Shaff Transfer & Stg. Co., 604 Cotton St. Bldg., Nashville, Tennessee.	Truckway Corporation, 342 Raeburn St., Pontiac, Michigan.
Thompkins, W. H. Co., Inc., Nashville, Tennessee.	Wimberly Transfer, Valdosta, Georgia.
	Wise Motor Line, Crestview, Florida.

LIMITED COMMON CARRIERS**(HOUSEHOLD GOODS)**

Abb's Transfer & Service Co., 700 N. Conception St., Mobile, Alabama.	Branch, Harley T., Orange City, Florida.
Armstrong & Sons Stg. Co., Daytona Beach, Florida.	Cruikshank Motor Truck Service, Jacksonville, Florida.
Areo Mayflower Transfer Co., 1231 N. Meridian St., Indianapolis, Ind.	C. & H. Transfer & Stg. Co., Ft. Lauderdale, Florida.
Arrow Transfer Co., Tampa, Florida.	City Transfer Co., Inc., Box 2870, Tampa, Florida.
Ace Transfer, 842 1st Ave., N., St. Petersburg, Florida.	Colliers Terminal Whse. & Van Company, Ocala, Florida.
Arnold & Son Transfer & Stg., 2600 W. Broadway, Louisville, Ky.	Coats Motor Truck, Ft. Pierce, Florida.
Burgess, Arthur S., Ocala, Florida.	Central Transfer & Stg., St. Petersburg, Florida.
Burnham Furniture Co., Columbus, Georgia.	Caldwell Bonded Warehouse, Inc., 101 12th St., Tampa, Florida.
Burgess Transfer, Ocala, Florida.	Chastain Transfer Co., 130 E. Jackson St., Thomasville, Georgia.
Brandon Transfer & Stg. 322 6th St., West Palm Beach, Florida.	Cordell, Henry Elmer, Sanford, Florida.

- Dickinson, W. A. Transfer,
2335 N. Miami Ave.,
Miami, Florida.
- Dow, Maurice,
Melbourne, Florida.
- Delcher Bros, Stg. Co., Inc.,
Jacksonville, Florida.
- DeLoach, S. L.,
New Smyrna, Florida.
- Dothan Transfer,
Dothan, Alabama.
- Esthur, Arthur E.,
Sarasota, Florida.
- Flash Express & Stg. Co., Inc.,
251 South West 1st Court,
Miami, Florida.
- Fidelity Stg. & Whse. Co.,
53-61 W. Jackson St.,
Orlando, Florida.
- Ferris Warehouse & Stg. Co.,
Pensacola, Florida.
- Fulford Van & Stg. Co.,
21 W. Central Ave.,
Orlando, Florida.
- Franklin's Transfer,
P. O. Box 1983,
Ft. Myers, Florida.
- Grubb, Paul Claude,
2054 Main St.,
Jacksonville, Florida.
- Goodall Transfer & Stg. Co.,
Box 549,
Tampa, Florida.
- Green Transfer Co.,
1102 Ashley St.,
Tampa, Florida.
- Green, Alee A.,
DeLand, Florida.
- Howard Transfer Co.,
229 Boone St.,
Orlando, Florida.
- Hudson Transfer Co.,
Columbus, Georgia.
- Haywood, Ben,
1404½ Tampa, St.,
Tampa, Florida.
- Holland Transfer Co.,
Lakeland, Florida.
- Hill's Transfer,
Tallahassee, Florida.
- Johnson, Bill Transfer Co.,
710 5th Ave., N.,
St. Petersburg, Florida.
- Kite Transfer,
440 W. Orange St.,
Gainesville, Florida.
- Lerette, A. J.,
3325 N. W. 5th Ave.,
Miami Beach, Florida.
- Lee Terminal & Whse. Corp.,
Box 1303,
Tampa, Florida.
- Leonard Bros. Transfer
& Stg. Co.,
1944 N. W. 7th Ave.,
Miami, Florida.
- Leach & Elder Stg. Co., Inc.,
216 W. 8th St.,
Jacksonville, Florida.
- McGhee, Will E.,
110 S. Dakota Ave.,
Tampa, Florida.
- Ploof, H. C. Transfer Co.,
So. Jacksonville, Florida.
- Robinson, E. E.,
506 Macy St.,
Orlando, Florida.
- Ramsey, Owen,
Palatka, Florida.

Rapid Express Co.,
73 E. Church St.,
Jacksonville, Florida.

Sanders Transfer & Stg. Co.,
129 8th Ave., N.,
Nashville, Tenn.

Shaw Furniture Transfer,
1817 Liberty St.,
Jacksonville, Florida.

Southern Transfer &
Stg. Co., Inc.,
1901 5th Ave., S.
St. Petersburg, Florida.

Settle Moving Packing
& Stg. Co.,
635 W. Main St.,
Louisville, Ky.

Suddath Moving & Stg. Co.,
315-19 E. Bay St.,
Jacksonville, Florida.

Service Transfer,
405 S. Poinsetta Ave.,
West Palm Beach, Florida.

Suddath Moving & Stg. Co.,
1727 Grand Central,
Tampa, Florida.

Sarasota Transfer & Stg. Co.,
Sarasota, Florida

Twiss Transfer Co.,
842 4th Ave.,
St. Petersburg, Florida.

Tompkins, M. E.,
Lake City, Florida.

Triangle Express Co.,
1447 Drexel Ave.,
Miami Beach, Florida.

Union Transfer & Stg. Co.,
316 N. E. 14th St.,
Miami Beach, Florida.

Weathers Bros. Transfer Co., Inc.,
733 Blvd. N. E.,
Atlanta, Georgia.

White Star Line,
413 W. Main St.,
Ocala, Florida.

Weathers, Carey F.,
Transfer & Stg. Co.,
Augusta, Georgia.

Withers, John E. Transfer Co.,
1000 N. E. First St.,
Miami, Florida.

Woodside, John J. Stg. Co.,
259 Edgewood Ave.,
Atlanta, Georgia.

Walker Warehouse, Inc.,
521 Peachtree St., N. E.,
Atlanta, Georgia.

Washington Stg. Co., Inc.,
1001 Washington Ave.,
Miami Beach, Florida.

White, A. C., Transfer & Stg.,
414 Edgewood Ave.,
Atlanta, Georgia.

Yarnall Warehouse &
Transfer Co.,
Lakeland, Florida.

Zorn Transfer Co.,
Palatka, Florida.

SPECIAL PERMIT CARRIERS

Burgess, Arthr S.,
Ocala, Florida.

Blowers, Tom H.,
1271 Hollywood Ave.,
Jacksonville, Florida.

Blazer, H. B. Jr.,
Box 777,
Punta Gorda, Florida.

Cruikshank Motor Truck Service,
Jacksonville, Florida.

Cordell, Henry Elmer,
Sanford, Florida.

Dickinson, W. A. Transfer,
2335 N. Miami Ave.,
Miami, Florida.

Franklin's Transfer,
P. O. Box 1983,
Ft. Myers, Florida.

Gatlin, James Frank,
Jacksonville, Florida.

Growers & Shippers Transfer Co.,
Pompano, Florida.

Holstum, L. W.,
Ocala, Florida.

Hull, Roscoe L.,
Ft. Lauderdale, Florida.

Kennelly Transfer & Stg. Co.,
724 Pippin St.,
Jacksonville, Florida.

Leonard Bros. Transfer & Stg. Co.,
1944 N. W. 7th Ave.,
Miami, Florida.

Metzger, L. E.
Fernandina, Florida.

McFarlin, Marcus N.,
Tampa, Florida.

McGhee, Will,
118 S. Dakota Ave.,
Tampa, Florida.

Ploof, H. C. Transfer Co.,
S. Jacksonville, Florida.

Peterson, L. L.,
Lakeland, Florida.

Slauson, Albert Erwin,
615 Broohaven Dr.,
Orlando, Florida.

Tompkins, M. E.,
Lake City, Florida.

Union Transfer & Stg. Co.,
316 N. E. 14th St.,
Miami, Florida.

White Star Line,
413 W. Main St.,
Ocala, Florida.

Withers, John E. Transfer Co.,
1000 N. E. First St.,
Miami, Florida.

PASSENGER PERMIT

Acme Cab Company,
340 23rd St.,
Miami Beach, Florida.

Ace Cabs Company,
1031 5th St.,
Miami, Florida.

Armstrong, C. L.,
429 6th St.,
West Palm Beach, Florida.

Adelson, Elkin M.,
944 5th St.,
Miami Beach, Florida.

Axelrod, Ben,
255 Main St.,
Palm Beach, Florida.

Brown, William,
1413 N. W. 4th Ave.,
Miami, Florida.

Brown, R. R.,
41 W. Central Ave.,
Orlando, Florida.

Burroughs Taxi Co.,
Winter Haven, Florida.

Blue, Harmon,
Lake Worth, Florida.

Baumgartner, John,
510 8th St. N.,
St. Petersburg, Florida.

Bass John J.,
Green Acres City, Florida.

Barenblatt, F. R.,
641 Meridian Ave.,
Miami Beach, Florida.

Berger, Sigmund,
744 Jefferson Ave.,
Miami, Florida.

Becker, Frederick,
719 Meridian Ave.,
Miami Beach, Florida.

Beaudin, Joel,
Atlantic & Federal Highway,
Delray Beach, Florida.

Boyd, Dan,
Hollywood, Florida.

Blue and Gray Cab Co.,
115 W. Flagler St.,
Miami, Florida.

Black, William J.,
414 11th St.,
West Palm Beach, Florida.

Bledsoe's Service,
Winter Park, Florida.

Bowers, Dallas,
Winter Park, Florida.

Crum, Ray,
414½ Jessamine St.,
West Palm Beach, Florida.

Chastain, W. W.,
1419 17th St.,
Bradenton, Florida.

Cole, Bert L.,
Gasparilla, Florida.

Cook, Henry A.,
St. Petersburg, Florida.

Cook, Joseph F.,
1510½ 9th Ave., N.,
St. Petersburg, Florida.

Carlstrom, A.,
315 N. Dixie,
West Palm Beach, Florida.

Club Transportation Service, Inc.,
Coral Gables, Florida.

Catikos, Thomas,
No. 1 Smith Cottage,
Miami Beach, Florida.

City Cab Co.,
Plant City, Florida.

Century Cab Co.,
447 Washington Ave.,
Miami Beach, Florida.

Campbell, G. M. & C. W. Mays,
Sarasota, Florida.

City Storage Garage,
Winter Park, Florida.

Clich, Henry J.,
St. Petersburg, Florida.

Connell, William Ellis,
Manatee, Florida.

Cabeza, Fernando,
634 S. W. 1st St.,
Miami, Florida.

Chauncey, Bernard,
Miami Beach, Florida.

Cohen, Samuel,
140 Washington Ave.,
Miami Beach, Florida.

Cameron, Frederick W.,
520 8th Ave., S.,
St. Petersburg, Florida.

Criswell, H. R.,
932 7th St.,
Miami Beach, Florida.

Dampfhofer, Alred H.,
524 34th St.,
West Palm Beach, Florida.

Durham, W. R.,
508 "O" St.,
West Palm Beach, Florida.

Dufour, Hector,
2609 Broadway,
West Palm Beach, Florida.

DaCamara, W. H.,
525 38th St.,
West Palm Beach, Florida.

Daley, J. F.,
628 Evernia St.,
West Palm Beach, Florida.

Davis, Herman I.,
327 2nd Ave., S.,
St. Petersburg, Florida.

Deuchare, E. R.,
Hollywood, Florida.

Dyer, Elmer,
St. Petersburg, Florida.

Downing, James,
735 2nd St.,
Miami, Florida.

Duel, Edward,
Pass-a-Grille, Florida.

Eskriggs, Charlotte,
2234 W. Harding St.,
Hollywood, Florida.

Economy Cab Co.,
Orlando, Florida.

Frakes, Paul K.,
515 Kirkwood Terrace,
St. Petersburg, Florida.

Franklin, O. Elwood,
605 S. "J" St.,
Lake Worth, Florida.

Fulford Baggage & Cab Co.,
Orlando, Florida.

Franko, Joe,
1068 4th St.,
St. Petersburg, Florida.

Frazin, Nate,
520 Ocean Drive,
Miami Beach, Florida.

Flamingo Taxi Service, Inc.,
Miami Beach, Florida.

Ferrell, Joseph J.,
227 N. E. 14th Terrace,
Miami, Florida.

Fisher, D. W.,
Miami, Florida.

Farr, Earl F.,
739 2nd St.,
Miami, Beach, Florida.

Fox, Edmund,
Jacksonville, Florida.

Foster, George,
Winter Park, Florida.

Gilbert, W. A.,
2223 2nd Ave., W.,
St. Petersburg, Florida.

Green, Mrs. Aileen,
DeLand, Florida.

Green's Taxi,
Live Oak, Florida.

Guthrie, James R.,
108 4th St., So.,
St. Petersburg, Florida.

Godbold, T. Z.,
Lake City, Florida.

Headland, Frank,
Royal Park Garage Apts.,
Palm Beach, Florida.

Henley, Rayburn W.,
West Palm Beach, Florida.

Hever, Jack B.,
St. Petersburg, Florida.

Hatfield, Harold M.,
Daytona Beach, Florida.

Havens, J. T.,
Palm Beach, Florida.

Halls, M. F.,
6 S. Ft. Harrison Ave.,
Clearwater, Florida.

Horn, Elmer,
West Palm Beach, Florida.

Hill's, Inc.,
25-4th St., N.,
St. Petersburg, Florida.

Helmich, George,
West Palm Beach, Florida.

Houghtaling, L. R.,
140 18th St., North,
St. Petersburg, Florida.

Higgins, Richard,
614 35th St.,
West Palm Beach, Florida.

Hinde, A. T.,
611-10th St., N.,
St. Petersburg, Florida.

Isrial, Henry,
805-11th St., N.,
St. Petersburg, Florida.

Jacobson, Alfred,
Winter Park, Florida.

Jacksonville Baggage & Cab Co.,
Jacksonville, Florida.

Jackson, John E.,
3604 Arlington Ave.,
Tampa, Florida.

Knopfler, Sidney C.,
533 39th St.,
West Palm Beach, Florida.

Kibbee, Mrs. Ida W.,
227 Sunset Ave.,
Palm Beach, Florida.

Leon Chapman Lantz,
153 Phelps St.,
Jacksonville, Florida.

Lindabury, C. R.,
744 Jefferson Ave.,
Miami Beach, Florida.

Long, Ted,
106 E. Main St.,
Lakeland, Florida.

Lord, E. B.,
Sarasota, Florida.

Livingston, Randolph,
420 Aveneda Allegra,
West Palm Beach, Florida.

Muller, Edwin T.,
316 Kings Court,
West Palm Beach, Florida.

MacGowan, G. S.,
511 12th St.,
West Palm Beach, Florida.

Menna, Mark,
3723 Park St.,
Jacksonville, Florida.

Maus, Cecil F.,
Sarasota, Florida.

Marks, Samuel,
443 Washington Ave.,
Miami Beach, Florida.

Miller, J. O. Cab Co.,
St. Augustine, Florida.

Miami For Hire Car Asst., Inc., 11 N. E. 3rd Ave., Miami, Florida.	Pan American Sightseeing Tours 31 S. E. 1st Ave., Miami, Florida.
Miller, H., 739 4th St., Miami Beach, Florida.	Patterson, Z. H., Patterson Motor Co., Clearwater, Florida.
Mountain Lake Corp., Lake Wales, Florida.	Pitman, Miss Mildred A., 231 Walton Blvd., West Palm Beach, Florida.
Murphy, David, Box 2361, Palm Beach, Florida.	Pritchard, Wilbert R., 300-23rd St., Miami, Florida.
Minehan, Martin, Hollywood, Florida.	Pressley, Walter W., Ft. Myers, Florida.
Morrison, Benjamine Franklin, 720½ 14th St., N., St. Petersburg, Florida.	Palmer, Percy F., 756 Bay St., N. E., St. Petersburg, Florida.
McCormick, P. B., 1029 N. W., 7th Ave., Miami, Florida.	Parsons, Archibald F., 435 S. Osceola St., Orlando, Florida.
McKnight, James, Maitland, Florida.	Prevatt, Charles, Ft. Myers, Florida.
Neal, Frederick Joseph, 617 50th St., West Palm Beach, Florida.	Peterson, C. E., Hypsaluko, Florida.
Nimmons, Orin M., 715 6th Ave., So., St. Petersburg, Florida.	Pennell, George E., Box 898, Palm Beach, Florida.
Ocala Dime Taxi Co., Inc., Box 804, Ocala, Florida.	Phillips, George Eddie, 145 N. W. 62nd St., Miami, Florida.
O'Dell, Mrs. Liona Virginia, Mt. Dora, Florida.	Pomeroy, George W., 105 2nd Ave., N. E., St. Petersburg, Florida.
O'Neal, Ilida, 601 Wildwood Way, Clearwater, Florida.	Pfafflin, George W., 416 52nd St., West Palm Beach, Florida.
Ober, Harold F., 425 Lincoln Ave., Melbourne, Florida.	Raymond, Gould, Daytona Beach, Florida.

Red Top Cab & Baggage Co.,
44 S. W. 3rd St.,
Miami, Florida.

Rines, George Henry, Jr.,
231 Main St.,
Palm Beach, Florida.

Rite Rate Cab Company,
St. Petersburg, Florida.

Richardson, F. G.,
Vinoy Hotel & 724 3rd St., N.,
St. Petersburg, Florida.

Ridgeway Transfer Co., Inc.,
Daytona Beach, Florida.

Royal Palm Sightseeing Co.,
44 S. W. 8th St.,
Miami, Florida.

Rogel, Albert,
No. 7 Smith Cottage,
Miami Beach, Florida.

Rogers, D. R.,
Sebring, Florida.

Rubin, Joe,
203 Collins Ave.,
Miami Beach, Florida.

Reed, Robert James,
221 E. 3rd St.,
Jacksonville, Florida.

Rappaport, L.,
845 N. W. 7th Ave.,
Miami, Florida.

Rollins, George T.,
23 Hogan St.,
Jacksonville, Florida.

Rich, Capt. Harry C.,
1949 Madison St.,
Hollywood, Florida.

Sarasota, Transit,
Sarasota, Florida.

Sirota, Michael,
600 5th St.,
Miami Beach, Florida.

Sapp, J. A.,
729 Tuscaloosa St.,
West Palm Beach, Florida.

Statham, Robert A.,
355½ 5th St.,
West Palm Beach, Florida.

Stenroos, W. John,
323 Evernia St.,
West Palm Beach, Florida.

Stevens, Stewart A.,
121 Lyman Ave.,
Winter Park, Florida.

Singer, Sall,
66 Collins Ave.,
Miami Beach, Florida.

Stevens, A. F.,
325 3rd St.,
West Palm Beach, Florida.

Segal, Annie,
100 Ocean Drive,
Miami Beach, Florida.

St. Augustine Transfer Co.,
St. Augustine, Florida.

Springer Motor Co.,
Hollywood, Florida.

Standard Auto Sales Co.,
117 Orange Ave.,
Daytona Beach, Florida.

Stubbs, Henshall W.,
Village Hotel Apts.,
Miami Beach, Florida.

Sargent, Walter W.,
839 Hansen St.,
West Palm Beach, Florida.

Sam's Taxi Travel & Baggage
Service Co., Inc.,
Coral Gables, Florida.

Smith, Gordon,
Bradenton, Florida.

Safety Cab Co., Inc.,
Jacksonville, Florida.

Spangoli, Theodore,
Hollywood, Florida.

Schwartz, Henry,
132 8th St.,
Miami Beach, Florida.

Swaggerty, C. L.,
Ft. Lauderdale, Florida.

Sasser, J. E.,
1624 Laura St.,
Jacksonville, Florida.

Silver, Mrs. Annie,
4210 W. Manatee Ave.,
Bradenton, Florida.

Takash, Carl A.,
Sanford, Florida.

Tedder, Thomas Horace,
Lake Wales, Florida.

Thompson, Curtis,
224 28th St.,
Bradenton, Florida.

Thomas, James H.,
1162 Highland St., N.,
St. Petersburg, Florida.

Tobin, Ralph,
Hollywood, Florida.

Tribeck, W. E.,
230 E. 7th St.,
Jacksonville, Florida.

Tracy, Charles B.,
316 S. Penn., St.,
Daytona Beach, Florida.

Tarbell, Arthur H.,
Pine Castle, Florida.

Underhill, G. H.,
Ormond Beach, Florida.

Usher's Garage & Taxi Sevs.,
219 29th St.,
Miami Beach, Florida.

University Transit Co.,
Gainesville, Florida.

U-Drive-It of Miami, Inc.,
Miami, Florida.

Upton, Harold F.,
519 Sunset Rd.,
West Palm Beach, Florida.

Upper Saranac Co., Inc.,
Hotel Clarendon,
Daytona Beach, Florida.

Varney, Allen V., Inc.,
526 15th Ave., N. E.,
St. Petersburg, Florida.

Venetian Way Coaches,
1142 N. W. 6th St.,
Miami, Florida.

Wells, Frank E.,
74 Abbot St.,
St. Augustine, Florida.

Walker, George,
Hobe Sound, Florida.

Walrad, J. M.,
118 Hammond Ave.,
Palm Beach, Florida.

Ward, Newton L.,
Live Oak, Florida.

Walker, L. A.,
2132 2nd Ave., N.,
St. Petersburg, Florida.

Wacker, Anton,
445 Braziala,
Palm Beach, Florida.

Watkins, Elmer,
1934 Dayton St.,
St. Petersburg, Florida.

Wilson, C. R.,
Box 265,
Hollywood, Florida.

Williams, Thos. E.,
1505 5th Ave., N.,
St. Petersburg, Florida.

Wilson, James R.,
Box 60,
Palm Beach, Florida.

White Hire Cabs, Inc.,
1545 Alton Rd.,
Miami Beach, Florida.

Woodward, Joseph J.,
Ft. Lauderdale, Florida.

Wise, Brooks,
West Palm Beach, Florida.

Yellow Cab Co., (also Baggage)
Miami, Florida.

Yellow Cab & Transfer Co., Inc.,
St. Petersburg, Florida.

Yellow Taxicab & Transfer Co.,
Tampa, Florida.

Youngblood, Henry,
901 S. Ft. Harrison Ave.,
Clearwater, Florida.

Zittell, Frederick B., Jr.,
411 Flemingo Dr.,
West Palm Beach, Florida.

DIGEST OF APPLICATIONS FILED WITH THE RAILROAD COMMISSION 1937

	Granted	Denied or Dismissed
Applications for common carrier certificate	3	1
Applications for contract carrier certificate	3	1
Applications for extension of certificate.....	4	3
Applications for transfer of certificate	4	—
Applications for change of schedule	3	1
Cities for violations	27	
Applications for limited common carrier certificate	1	4

CERTIFICATES AND PERMITS IN EFFECT:

Common carrier Certificates	53
Contract Carrier Certificates	26
Household Goodsholders	73
Special Permits	24
Passenger Permits	187
Certificate of Registrations	46
Limited Common Carrier	1

NUMBER OF PIECES OF EQUIPMENT LISTED WITH THE COMMISSION:

Contract	280
Common	870
Permit	800
Plates issued and cancelled	125

PERMITS GRANTED 1937

PERMIT No. 319—Granting Permit to Howard B. Helms, St. Petersburg, Florida, to transport passengers for hire. January 15, 1937.

PERMIT No. 320—Granting Permit to Ace Cabs Co.—Miami Beach, Florida, to transport passengers for hire. January 15, 1937.

PERMIT No. 321—Granting Permit to Ted Long, Lakeland Florida, to transport passengers for hire. January 15, 1937.

PERMIT No. 322—Granting Permit to C. E. Peterson, Hy-paluko, Florida, to transport passengers for hire. January 15, 1937.

PERMIT No. 323—Granting Permit to David Greenfield, Miami, Florida, to transport passengers for hire. January 15, 1937.

PERMIT No. 324—Granting Permit to A. Carlstrom, W. Palm Beach, Florida, to transport passengers for hire. January 15, 1937.

PERMIT No. 325—Granting Permit to F. H. Underhill, Ormond Beach, Florida, to transport passengers for hire. January 15, 1937.

PERMIT No. 326—Granting Permit to W. W. Chastain, Bradenton, Florida, to transport passengers for hire. January 15, 1937.

PERMIT No. 327—Granting Permit to Curtis Thompson, Bradenton, Florida, to transport passengers for hire. January 15, 1937.

PERMIT No. 328—Granting Permit to Roy Bowen, Miami, Florida, to transport passengers for hire. January 15, 1937.

PERMIT No. 329—Granting Permit to James A. Sapps, Jr., Palm Beach, Florida, to transport passengers for hire. January 15, 1937.

PERMIT No. 330—Granting Permit to Hugh L. Langford, W. Palm Beach, Florida, to transport passengers for hire. January 15, 1937.

PERMIT No. 331—Granting permit to L. Ballard, Sr., Tallahassee, Florida, to transport household goods under provisions of Rule 59. January 22, 1937.

PERMIT No. 332—Granting Permit to Randolph Livingston, W. Palm Beach, Florida, to transport passengers for hire. February 23, 1937.

PERMIT No. 333—Granting Permit to J. F. Daley, Palm Beach, Florida, to transport passengers for hire. February 22, 1937.

PERMIT No. 334—Granting Permit to Frank W. Case, W. Palm Beach, Florida, to transport passengers for hire. February 22, 1937.

PERMIT No. 335—Permit granted Ace Transfer, St. Petersburg, Florida, to transport household goods under provisions of Rule 59. February 22, 1937.

PERMIT No. 336—Granting Permit Joel Beaudin, Delray Beach, Florida, to transport passengers for hire. February 18, 1937.

PERMIT No. 337—Granting Permit to Henshall W. Stubbs, Miami Beach, Florida, to transport passengers for hire. February 18, 1937.

PERMIT No. 338—Granting Permit to Walter Weston Sargent, West Palm Beach, Florida, to transport passengers for hire. February 18, 1937.

PERMIT No. 339—Granting Permit to Aileen Green, Deland, Florida, to transport household goods under provisions of Rule 59. February 1, 1937.

PERMIT No. 340—Granting Permit to D. R. Rogers, Sebring, Florida, to transport passengers for hire. February 18, 1937.

PERMIT No. 341—Granting Permit to Acme Cab Company, Miami Beach, Florida, to transport passengers for hire. March 9, 1937.

PERMIT No. 342—Granting Permit to Alfred A. Vincourt, Palm Beach, Florida, to transport passengers for hire. February 11, 1937.

PERMIT No. 343—Granting Permit to Cecil F. Maus, Sarasota, Florida, to transport passengers for hire. March 9, 1937.

PERMIT No. 344—Granting permit to Miller & Mundy, Inc., Miami Beach, Florida, to transport passengers for hire. February 2, 1937.

PERMIT No. 345—Granting Permit to Ernest C. Lane, W. Palm Beach, Florida, to transport passengers for hire. January 28, 1937.

PERMIT No. 346—Granting Permit to Alfred G. Oatway, W. Palm Beach, Florida, to transport passengers for hire. January 21, 1937.

PERMIT No. 347—Granting Permit to May W. Johnson, St. Petersburg, Florida, to transport passengers for hire. February 5, 1937.

PERMIT No. 348—Granting Permit to A. F. Stevens, W. Palm Beach, Florida, to transport passengers. January 15, 1937.

PERMIT No. 349—Granting Permit to Albert Rogel, Miami Beach, Florida, to transport passengers for hire. March 9, 1937.

PERMIT No. 350—Granting Permit to Richard Higgins, W. Palm Beach, Florida, to transport passengers for hire. March 9, 1937.

PERMIT No. 351—Granting Permit to Lerette's Transfer, Miami, Florida, to transport household goods under provisions of Rule 59. March 10, 1937.

PERMIT No. 352—Granting Permit to Thomas Catikos, Miami Beach, Florida, to transport passengers for hire. March 23, 1937.

PERMIT No. 353—Granting Permit to Bert L. Cole, Gasparilla, Florida, to transport passengers for hire. March 23, 1937.

PERMIT No. 354—Granting Permit to Prof. Mitchell, Miami, Florida, to transport passengers for hire. July 15, 1937.

PERMIT No. 355—Granting Permit to James R. Guthrie, St. Petersburg, Florida, to transport passengers for hire. August 13, 1937.

PERMIT No. 356—Granting Permit to P. B. McCormick, Miami, Florida, to transport passengers for hire. August 16, 1937.

PERMIT No. 357—Granting Permit to James Downing, Miami, Florida, to transport passengers for hire. August 16, 1937.

PERMIT No. 358—Granting Permit to L. E. Metzger, Fernandina, Florida, to transport for the Merritt, Chapman &

Scott Corporation, engineering contractors, constructing pulp-mills in Fernandina and Jacksonville, Florida, materials used in the construction of such mills between Fernandina and Jacksonville, Florida, on emergency occasions, and at such times when it is impossible for the contractors to transport such materials by means of the common carriers by rail and motor. August 12, 1937.

PERMIT No. 359—Granting Permit to James Oscar Green, d/b/a Greens Taxi, Live Oak, Florida, to transport passengers for hire. August 31, 1937.

PERMIT No. 360—Granting Permit to Arthur H. Tarbell, Pine Castle, Florida, to transport passengers for hire. September 1, 1937.

PERMIT No. 361—Granting Permit to Marcus N. McFarlin, Tampa, Florida, to transport freight restricted to transportation of meat market equipment such as counters, ice boxes, coolers, etc. September 25, 1937.

PERMIT No. 362—Granting Permit to Walter W. Pressley, Ft. Myers, Florida, to transport passengers for hire. September 21, 1937.

PERMIT No. 363—Granting Permit to Milton B. Kent, Lake City, Florida, to transport passengers for hire. September 27, 1937.

PERMIT No. 364—Granting Permit to Mrs. Annie E. Silver, Bradenton, Florida, to transport passengers for hire. October 21, 1937.

PERMIT No. 365—Granting Permit to C. L. Davis, Live Oak, Florida, to transport passengers for hire. October 21, 1937.

PERMIT No. 366—Granting Permit to Newton L. Ward, Live Oak, Florida, to transport passengers for hire. October 21, 1937.

PERMIT No. 367—Granting permit to Thomas E. Gordon, d/b/a Economy Cab Co., Orlando, Florida, to transport passengers for hire. October 25, 1937.

PERMIT No. 368—Granting Permit to Harold F. Ober, Melbourne, Florida, to transport passengers for hire. November 2, 1937.

PERMIT No. 369—Granting Permit to L. L. Peterson, Lakeland, Florida, to transport merchandise for Montgomery Ward & Co. from Lakeland, Florida, to points within a radius of fifty (50) miles of Lakeland, Florida. November 5, 1937.

PERMIT No. 370—Granting Permit to John H. Shepard d/b/a University Transit C., Gainesville, Florida, to transport passengers for hire. November 17, 1937.

PERMIT No. 371—Granting Permit to D. H. Sims and Joe C. Poppell, d/b/a City Cabs, Plant City, Florida, to transport passengers for hire. November 23, 1937.

PERMIT No. 372—Granting Permit to Harmon Blue, Lakeworth, Florida, to transport passengers for hire. December 8, 1937.

PERMIT No. 373—Granting Permit to G. M. Campbell and C. W. Mays, Sarasota, Florida, to transport passengers for hire. December 8, 1937.

PERMIT No. 374—Granting Permit to Walter W. Sargent, W. Palm Beach, Florida, to transport passengers for hire. December 8, 1937.

PERMIT No. 375—Granting Permit to Century Cab Co., Miami Beach, Florida, to transport passengers for hire. December 8, 1937.

PERMIT No. 376—Granting Permit to George W. Pfafflin, W. Palm Beach, Florida, to transport passengers for hire. December 8, 1937.

PERMIT No. 377—Granting Permit to Edmund Fox, Jacksonville, Florida, to transport passengers for hire. December 8, 1937.

PERMIT No. 378—Granting Permit to Edwin T. Miller, West Palm Beach, Florida, to transport passengers for hire. December 8, 1937.

PERMIT No. 379—Granting Permit to M. J. Johnson d/b/a Pan American Sightseeing Tours, Miami, Florida, to transport tourists and others on sightseeing trips covering Miami and vicinity making approximately 60 or 75 trips per month. This permit was granted subject to public hearing in the event protest is filed. December 15, 1937.

PERMIT No. 380—Granting Permit to Joseph F. Cook, St. Petersburg, Florida, to transport passengers for hire. December 15, 1937.

PERMIT No. 381—Granting Permit to T. Z. Godbold, Lake City, Florida, to transport passengers for hire. December 21, 1937.

**THE FOLLOWING PERMITS WERE CANCELLED
IN 1937**

Thos. O. Thompson, Bradenton, Florida, May 19, 1937.
J. M. Walrad, Palm Beach, Florida, April 30, 1937.
Haven Taxi Service, Winter Haven, Florida, May 31, 1937.
Wimberly Transfer, Valdosta, Georgia, July 27, 1937.
L. W. Malloy, Valdosta, Georgia, March 29, 1937.
Russell C. House, Atlanta, Georgia, December 8, 1937.
W. L. Boyd Tr. Co., Panama City, Florida, June 16, 1937.
Mrs. Annie E. Silver, Bradenton, Florida, April 15, 1937.
Walter H. Saylor, St. Petersburg, Florida, April 29, 1937.
Railway Express Agency, Miami, Florida, April 14, 1937.
J. E. Sasser, Jacksonville, Florida, August 14, 1937.
Elmer Watkins, St. Petersburg, Florida, September 15, 1937.
T. E. Alexander, Punta Gorda, Florida, April 8, 1937.
Beach Bus Lines, Jacksonville, Florida, May 13, 1937.
Russell M. Shelton, Lake Worth, Florida, June 1, 1937.
Earl F. Farr, Miami Beach, Florida, April 30, 1937.
Randolph Livingston, W. Palm Beach, Florida, April, 1937.
Frank W. Case, W. Palm Beach, Florida, March 31, 1937.
Welter Weston Sargent, W. Palm Beach, May 1, 1937.
Alfred A. Vincent, Palm Beach, Florida, March 21, 1937.
Miller & Mundy, Inc., Miami Beach, Florida, May 26, 1937.
Ernest C. Lane, W. Palm Beach, Florida, May 11, 1937.
Alfred G. Oatway, W. Palm Beach, Florida, April 16, 1937.
Prof. Mitchell, Miami, Florida, November 1, 1937.
P. B. McCormick, Miami, Florida, August 30, 1937.
Newton L. Ward, Live Oak, Florida, November 1, 1937.
David Greenfield, Miami, Florida, February 2, 1937.
A. Carlstom, W. Palm Beach, Florida, April 29, 1937.
W. W. Chastain, Bradenton, Florida, July 31, 1937.
Roy Bowen, Miami, Florida, December 14, 1937.
James A. Sapp, Jr., Palm Beach, Florida, May 17, 1937.
Hugh L. Langford, W. Palm Beach, Florida, April 19, 1937.
L. Ballard, Sr., Tallahassee, Florida, August 24, 1937.

WRECKS AND ACCIDENTS — TRUCK AND BUS — 1937

CLASSIFICATION OF WRECKS AND ACCIDENTS	Acme Freight Lines, Inc.	Aero Mayflower Transit Co.	Atlantic Greyhound Lines	Burnham Van Lines	Central Truck Lines, Inc.	Elliott- Young Cons., Inc.	Florida Motor Lines Corp.	Green Bros. Transfer Co.	L. & L. Freight Lines, Inc.	Marshall Transfer	Wayne F. McJunkin	Southeastern Greyhound Lines Inc.	Tamiami Trail Tours, Inc.	St. Andrews Bay Transporta- tion Co.	Seminole Coach Line	Union Bus Co.	TOTAL
I. Collisions:																	
1. Negligence or carelessness of employees.....	1					1											2
2. Weather conditions.....								1									1
3. Mechanical equipment.....																	
4. Other vehicles struck.....			1	1		1	7		1		1	1	2	2	1	5	23
II. Leaving Highway:																	
1. Negligence or carelessness of employees.....																	
2. Washouts on highway.....																	
3. Highway defects.....																	
4. Vehicle defects.....					1					1			2				4
5. Not otherwise classified.....		1			2	2		1								1	7
III. Miscellaneous:																	
1. Improper loading.....																	
2. Animal on highway.....																	
3. Other obstructions on highway.....																	
IV. Personal Accidents:																	
1. Employees on duty.....																	
2. Employees off duty.....																	
3. Passengers.....																	
4. Pedestrians.....																	
(a) Walking on highways.....							2									1	3
(b) At public crossings.....																	
(c) Beating way on vehicle.....																	
(d) Suicide.....																	
(e) Other causes.....																	
V. Grade Crossings (Train) Train Struck.....																	
CASUALTIES:																	
Employees killed.....																	
Employees wounded.....	1				1	2			1				3				8
Others killed.....						2		2									4
Others wounded.....						7	41		1					2	2	1	54
Passengers killed.....													17				17
Passengers wounded.....							3						23			20	46
DAMAGE																	
Equipment.....	\$ 2,000.00	\$ 25.00		\$ 5.00	\$ 75.00	\$ 800.00	\$ 525.00	\$ 340.29	\$ 800.00	\$ 162.0	\$ 75.00		\$ 5,600.00	\$ 525.00		\$ 150.00	\$ 11,082.29

STATISTICS OF RAILROAD COMPANIES — CALENDAR YEAR 1936
GENERAL BALANCE SHEET — ENTIRE LINE

ASSETS										LIABILITIES										
NAME OF ROAD	Investment in Road and Equipment	Improvements on Leased Property	Sinking Funds	Deposits in Lieu of Mort- gaged Property	Miscellaneous Physical Property	Investments in Affiliated Companies	Other Investments	Current Assets	Deferred Assets	Unadjusted Debits	Grand Total	Total Stock	Long-term Debt	Current Liabilities	Deferred Liabilities	Unadjusted Credits	Appropriated Surplus	Profit and Loss	Grand Total	
Alabama, Florida & Gulf Railroad.....	\$ 146,896							\$ 5,566	\$ 1,145		\$ 153,607	\$ (1)142,293		\$ 7,605		\$ 6,814		\$ *3,105	\$ 153,607	
Alabama & Western Florida Railroad Company.....	141,744							6,007		\$ 33	147,784	153,200		12,767		12,357		*30,540	147,784	
Apalachicola Northern Railroad.....	2,881,506				12		65,000	48,473		1,624	2,996,615	1,000,000		4,382,320	\$ 133	63,642	\$ 2,388	*2,451,868	2,996,615	
Atlanta & St. Andrews Bay Railroad Company.....	1,913,406				39,051	\$ 11,500	10,500	288,570	5,910	24,938	2,293,875	300,000	\$ 1,739,506	148,127	6,443	77,331	8,589	13,879	2,293,875	
Atlantic Coast Line Railroad Company.....	264,764,984	\$ 498,129			348,117	78,293,065	4,359,116	18,470,740	1,306,798	248,013	368,288,962	87,376,389	149,588,930	8,073,600	(a) 2,932,252	36,647,881	5,115,880	78,554,030	368,288,962	
Florida East Coast Railway Company.....	110,861,504	19,985		\$ 80,510	315,218	1,754,173	37,236	4,146,465	13,817,655	2,500,321	133,533,067	37,500,000	60,639,075	16,284,056	(b) 13,853,854	10,345,441	904,537	*5,993,896	133,533,067	
Georgia & Florida Railroad.....	20,479,832	4,362		500	148,512	57,501	4,956	254,268	3,372	993,945	21,947,248	13,382,441	6,891,000	6,857,762	(c) 3,579	764,681	12,455	*5,964,670	21,947,248	
Georgia Southern & Florida Railway Company.....	15,325,260	3,729			15,872	92,955		563,864	5,884	830,913	16,838,477	3,768,000	7,826,684	1,339,904	(d) 743,015	1,243,223	58,526	1,859,125	16,838,477	
Jacksonville, Gainesville & Gulf Railway.....	403,901				1			54,209	851	1,503	460,465	5,000	564,298			10,265	32	*292,994	460,465	
Jacksonville Terminal Company.....	4,700,183				99,351			525,957	75	1,773	5,327,339	375,200	4,075,610	549,885		814	73,551	30,080	222,199	5,327,339
Live Oak, Perry & Gulf Railroad Company.....	1,299,865				161,513	1,437	1,500	41,693		4,087	1,510,095	600,000	275,000	40,792	(e) 53	1,067,007	430,840	*903,597	1,510,095	
Louisville & Nashville Railroad Company.....	437,954,373	2,341,645	\$ 2,123,482	76,259	2,518,237	26,178,384	15,374,402	36,935,396	7,564,207	1,495,674	532,562,059	117,012,117	227,648,693	11,875,922	(f) 5,301,170	89,425,745	3,569,269	77,729,143	532,562,059	
Port St. Joe Dock & Terminal Railway Company.....	1,117,544				132,872		433	1,980		*160	1,252,579	100,000				74		*297,579	1,252,579	
St. Johns River Terminal Company.....	2,140,207				2,566	1,639		151,630	455	1,393	2,297,890	100,000	1,878,642	61,953	(g) 2,730	92,613	55,602	106,350	2,297,890	
St. Louis-San Francisco Railway Company.....	409,455,223			62,882	169,554	37,259,838	11,537,224	16,509,509	231,967	1,122,208	476,348,405	114,701,526	236,557,152	117,128,042	(h) 293,867	47,658,928	1,327,127	*41,318,237	476,348,405	
Seaboard Air Line Railway Company.....	243,780,965	1,160,830		98,005	3,501,920	28,492,293	3,087,066	14,667,604	400,816	1,024,396	296,213,895	85,110,662	149,740,533	87,727,754	(i) 1,056,294	29,624,032	868,081	*57,913,461	296,213,895	
Tampa Northern Railroad Company.....	2,484,603					11,228	4,020	642,684	1,126	35,744	3,179,405	750,000	1,715,003	1,589,998		77,463	45,136	*1,165,099	3,179,405	
Tampa Union Station Company.....	282,855							17,047	1	1,604	301,507	30,000	251,270	10,324		2,528		7,385	301,507	
Tavares & Gulf Railroad Company.....	761,464				6,154	566		63,185	1,384	641	833,394	250,000	67,200	496,044		32,958	3,770	*16,578	833,394	
The Marianna & Blountstown Railroad Company.....	237,961					1,500		10,412		23,644	273,517	120,000	185,000	39,209		22,932	1,127	*94,751	273,517	
The South Georgia Railway Company.....	640,156				28,976	15,492	25,631	48,056		8,733	767,044	686,000		5,570		99,659	3,968	*28,153	767,044	
Trans Florida Central Railroad Company.....	97,761							834			98,595	120,163		1,458		4,049		*27,075	98,595	
Total.....	\$ 1,521,872,193	\$ 4,028,680	\$ 2,123,482	\$ 318,156	\$ 7,487,836	\$ 172,171,571	\$ 34,507,084	\$ 93,454,149	\$ 23,341,646	\$ 8,321,027	\$ 1,867,625,824	\$ 463,582,991	\$ 849,643,596	\$ 258,257,040	\$ 24,361,108	\$ 217,353,174	\$ 12,437,407	\$ 41,990,508	\$ 1,867,625,824	

Asterisk indicates debit item or deficit.

- (1) Investment in Road by The Dothan National Bank, owner, operated under receivership.
(a) Includes \$138,207 Grants in aid of construction.
(b) Includes 34,589 Grants in aid of construction.
(c) Includes 2,374 Grants in aid of construction.
(d) Includes 100 Grants in aid of construction.
(e) Includes 53 Grants in aid of construction.
(f) Includes 69,064 Grants in aid of construction.
(g) Includes 464 Grants in aid of construction.
(h) Includes 111,849 Grants in aid of construction.
(i) Includes 13,889 Grants in aid of construction.

STATISTICS



Railroad Companies
Toll Bridge Companies
Express Companies
Sleeping Car Companies
Electric Railways
Boat Line Companies
Telegraph-Cable Companies
Telephone Companies

STATISTICS OF RAILROAD COMPANIES — CALENDAR YEAR 1936
PROFIT AND LOSS ACCOUNT — ENTIRE LINE

NAME OF ROAD	Balance at Beginning of Year	Balance Transferred from Income	Miscellaneous and Other Credits	Appropriations of Surplus	Miscellaneous and Other Debits	Balance at Close of Year
Alabama, Florida & Gulf Railroad.....	\$ *6,300	\$ 3,955			\$ 760	*\$ 3,105
Alabama & Western Florida Railroad Company.....	*38,305	11,996	19,761			30,540
Apalachicola Northern Railroad.....	*2,411,428	*37,755	163		2,848	*2,451,868
Atlanta & St. Andrews Bay Railroad Company.....	*865,537	15,981	885,884	212	22,237	13,879
Atlantic Coast Line Railroad Company.....	78,479,874	1,881,538	109,658	1,314,769	602,271	78,554,030
Florida East Coast Railway Company.....	*3,923,446	*2,071,631	244,501	8,194	235,126	*5,993,896
Georgia & Florida Railroad.....	*5,254,566	* 658,540	1,013	735	51,842	*5,964,670
Georgia Southern & Florida Railway Company.....	2,091,303	*160,334	640	47	72,437	1,854,125
Jacksonville, Gainesville & Gulf Railway.....	*260,120	*32,874				*292,994
Jacksonville Terminal Company.....	222,749				550	222,199
Live Oak, Perry & Gulf Railroad Company.....	*859,809	1,210	298	45,287	9	*903,597
Louisville & Nashville Railroad Company.....	80,571,530	9,597,599	148,646	8,355,831	4,232,801	77,729,143
Port St. Joe Dock & Terminal Railway Company.....	*297,354	*225				*297,579
St. Johns River Terminal Company.....	59,524	50,135	49		3,358	106,350
St. Louis-San Francisco Railway Company.....	*34,215,729	*6,665,499	268,587	35,513	670,083	*41,318,237
Seaboard Air Line Railway Company.....	*51,649,802	*6,097,462	246,964	13,330	399,831	*57,913,461
Tampa Northern Railroad Company.....	*1,185,805	20,726			20	*1,165,099
Tampa Union Station Company.....	8,166	420		1,200	1	7,385
Tavares & Gulf Railroad Company.....	*7,137	*9,441				*16,578
The Marianna & Blountstown Railroad Company.....	*94,655	*96				*94,751
The South Georgia Railway Company.....	*40,832	13,238	345		904	*28,153
Trans Florida Central Railroad Company.....	*26,342	*733				*27,075
Total.....	\$ 60,295,979	\$ *4,161,784	\$ 1,926,509	\$ 9,775,118	\$ 6,295,078	\$ 41,990,508

Asterisk indicates debit item or deficit.

STATISTICS OF RAILROAD COMPANIES — CALENDAR YEAR 1936
OPERATING REVENUES — ENTIRE LINE

NAME OF ROAD	Freight	Passenger	Excess Baggage	Mail	Express	Switching	All Other	Total Revenue
Alabama, Florida & Gulf Railroad.....	\$ 18,360	\$ 6	-----	\$ 3,262	\$ 206	-----	\$ 109	\$ 21,943
Alabama & Western Florida Railroad Company.....	16,546	157	-----	4,275	-----	\$ 112	14	21,104
Apalachicola Northern Railroad.....	75,830	4,842	\$ 12	17,672	3,748	-----	1,999	104,103
Atlanta & St. Andrews Bay Railway Company.....	643,128	6,042	17	14,836	6,417	3,569	2,267	676,276
Atlantic Coast Line Railroad Company.....	31,638,449	6,762,961	39,413	1,657,552	1,541,613	291,443	1,661,781	43,593,212
Florida East Coast Railway Company.....	5,434,470	2,235,319	17,607	277,252	270,995	16,044	362,821	8,614,508
Georgia & Florida Railroad.....	1,098,737	33,351	25	27,160	8,540	4,938	8,911	1,181,662
Georgia Southern & Florida Railway Company.....	1,570,839	481,372	1,044	139,959	36,439	3,426	68,468	2,301,547
Jacksonville, Gainesville & Gulf Railway.....	29,998	1	-----	-----	98	11,911	462	42,470
Jacksonville Terminal Company.....	(a)-----	-----	-----	-----	-----	-----	-----	-----
Live Oak, Perry & Gulf Railroad Company.....	235,757	2,995	1	8,878	2,201	269	2,325	252,426
Louisville & Nashville Railroad Company.....	78,278,272	6,594,986	29,940	2,037,622	1,773,627	912,577	1,413,127	91,040,151
Port St. Joe Dock & Terminal Railway Company.....	(a)-----	-----	-----	-----	-----	-----	-----	-----
St. Johns River Terminal Company.....	-----	-----	-----	-----	-----	363,745	3,369	367,114
St. Louis-San Francisco Railway Company.....	40,389,219	3,428,601	13,540	1,296,009	767,780	1,301,519	784,971	47,981,639
Seaboard Air Line Railway Company.....	29,927,283	4,626,017	22,346	987,465	1,252,081	328,448	1,202,415	38,346,055
Tampa Northern Railroad Company.....	-----	-----	-----	-----	-----	77,259	-----	77,259
Tampa Union Station Company.....	(a)-----	-----	-----	-----	-----	-----	-----	-----
Tavares & Gulf Railroad Company.....	84,361	17	-----	-----	563	160	266	85,367
The Marianna & Blountstown Railroad Company.....	55,235	-----	-----	3,038	1,027	61	147	59,508
The South Georgia Railway Company.....	109,772	3,084	-----	13,123	447	379	847	127,652
Trans Florida Central Railroad Company.....	3,703	41	-----	1,420	-----	-----	3	5,167
Total.....	\$ 189,609,959	\$ 241,179,792	\$ 123,945	\$ 6,489,523	\$ 5,665,782	\$ 3,315,860	\$ 5,514,302	\$ 234,899,163

(a) Not applicable.

STATISTICS OF RAILROAD COMPANIES — CALENDAR YEAR 1936
OPERATING EXPENSES — ENTIRE LINE

NAME OF ROAD	Maintenance of Way and Structures	Maintenance of Equipment	Traffic Expenses	Transporta- tion Expenses	Miscellaneous Operations	General Expenses	Transporta- tion for Investment- Credit	Total Operating Expenses
Alabama, Florida & Gulf Railroad.....	\$ 5,736	\$ 2,827	\$ 846	\$ 4,752	-----	\$ 797	-----	\$ 14,958
Alabama & Western Florida Railroad Company.....	5,271	10,531	420	10,046	-----	3,535	-----	29,804
Apalachicola Northern Railroad.....	47,965	14,905	6,511	41,002	-----	19,380	-----	129,763
Atlanta & St. Andrews Bay Railway Company.....	81,316	54,690	37,932	165,073	-----	35,331	\$ 32	374,310
Atlantic Coast Line Railroad Company.....	4,647,281	8,490,686	1,589,857	17,040,412	\$ 462,712	1,646,720	105,879	33,771,789
Florida East Coast Railway Company.....	1,181,019	1,623,898	269,649	2,801,967	150,603	495,876	9,158	6,515,854
Georgia & Florida Railroad.....	281,498	210,636	99,223	436,851	-----	69,220	620	1,096,808
Georgia Southern & Florida Railway Company.....	377,668	497,998	21,514	970,993	50,457	30,541	57	1,949,114
Jacksonville, Gainesville & Gulf Railway.....	9,568	5,736	797	17,452	-----	3,834	-----	37,387
Jacksonville Terminal Company.....	(a)	-----	-----	-----	-----	-----	-----	-----
Live Oak, Perry & Gulf Railroad Company.....	47,433	25,505	5,723	42,159	-----	18,714	-----	139,534
Louisville & Nashville Railroad Company.....	9,221,408	20,686,043	2,161,640	29,801,624	488,288	3,320,779	31,021	65,648,761
Port St. Joe Dock & Terminal Railway Company.....	-----	-----	-----	-----	-----	15	-----	15
St. Johns River Terminal Company.....	42,288	17,056	-----	171,217	-----	4,312	67	234,806
St. Louis-San Francisco Railway Company.....	6,879,018	11,214,447	1,354,256	17,224,997	356,659	1,908,580	127,533	38,810,424
Seaboard Air Line Railway Company.....	5,560,554	7,982,739	1,851,994	14,279,589	560,865	1,691,650	106,782	31,820,609
Tampa Northern Railroad Company.....	5,029	127	865	23,497	-----	3,119	-----	32,637
Tampa Union Station Company.....	(a)	-----	-----	-----	-----	-----	-----	-----
Tavares & Gulf Railroad Company.....	15,172	6,589	1,924	30,388	-----	5,191	-----	59,264
The Marianna & Blountstown Railroad Company.....	11,094	6,567	1,549	12,663	-----	5,891	-----	37,764
The South Georgia Railway Company.....	32,874	12,010	3,154	28,695	-----	7,349	-----	84,082
Trans Florida Central Railroad Company.....	2,342	98	-----	1,267	-----	1,555	-----	5,262
Total.....	\$ 28,454,534	\$ 50,865,089	\$ 7,407,854	\$ 83,104,644	\$ 2,069,584	\$ 9,272,389	\$ 381,149	\$ 180,792,945

(a) Not applicable.

STATISTICS OF RAILROAD COMPANIES — CALENDAR YEAR 1936
INCOME ACCOUNT — ENTIRE LINE

NAME OF ROAD	Railway Operating Revenues	Railway Operating Expenses	Net Revenue from Railway Operations	Railway Tax Accruals	Railway Operating Income	Net Rents	Net Railway Operating Income	Other Income	Total Income	Miscellaneous Deductions from Income	Income Avail- able for Fixed Charges	Fixed Charges	Contingent Charges	Net Income	Income Applied to Funds and Appropriated for Other Purposes	Income Balance Transferred to Profit & Loss
Alabama, Florida & Gulf Railroad.....	\$ 21,943	\$ 14,958	\$ 6,985	\$ 862	\$ 6,123	\$ *671	\$ 5,452	-----	\$ 5,452	\$ 1,496	\$ 3,956	\$ 1	-----	\$ 3,955	-----	\$ 3,955
Alabama & Western Florida Railroad Company.....	21,104	29,804	*8,700	1,819	*10,519	*1,477	*11,996	-----	*11,996	-----	*11,996	-----	-----	*11,996	-----	*11,996
Apalachicola Northern Railroad.....	104,103	129,763	*25,660	5,952	*31,612	*5,932	*37,544	-----	*37,544	12	*37,556	199	-----	*37,755	-----	*37,755
Atlanta & St. Andrews Bay Railway Company.....	676,276	374,310	301,966	45,447	256,519	*44,070	212,449	\$ *8,305	220,754	685	220,069	123,088	-----	96,981	\$ 81,000	15,981
Atlantic Coast Line Railroad Company.....	43,593,212	33,771,789	9,821,423	4,465,000	5,356,423	*940,669	4,415,754	4,832,429	9,248,183	843,118	8,405,065	6,484,506	\$ 5,404	1,915,155	33,617	1,881,538
Florida East Coast Railway Company.....	8,614,508	6,515,854	2,098,654	770,305	1,328,349	*450,553	877,796	107,158	984,954	26,051	958,903	3,030,534	-----	*2,071,631	-----	*2,071,631
Georgia & Florida Railroad.....	1,181,662	1,096,808	84,854	74,183	10,671	*24,530	*13,859	9,793	*4,066	2,193	*6,259	652,281	-----	*658,540	-----	*658,540
Georgia Southern & Florida Railway Company.....	2,301,547	1,949,114	352,433	127,529	224,904	*87,380	137,524	8,048	145,572	2,568	143,004	303,338	-----	*160,334	-----	*160,334
Jacksonville, Gainesville & Gulf Railway.....	42,470	37,387	5,083	5,174	* 91	*1,427	*1,518	484	*1,034	125	*1,159	31,715	-----	*32,874	-----	*32,874
Jacksonville Terminal Company.....	-----	-----	-----	91,690	*91,690	287,882	196,192	29,788	225,980	4,305	221,675	221,675	-----	-----	-----	-----
Live Oak, Perry & Gulf Railroad Company.....	252,426	139,534	112,892	34,526	78,366	9,661	88,027	530	88,557	520	88,037	14,827	-----	73,210	72,000	1,210
Louisville & Nashville Railroad Company.....	91,040,151	65,648,761	25,391,390	6,626,087	18,765,303	492,061	19,257,364	915,045	20,172,409	120,174	20,052,235	10,423,763	-----	9,628,472	30,873	9,597,599
Port St. Joe Dock & Terminal Railway Company.....	-----	15	*15	6	*21	-----	*21	*23	*44	181	*225	-----	-----	*225	-----	*225
St. Johns River Terminal Company.....	367,114	234,806	132,308	47,483	84,825	*12,047	72,778	60,920	133,698	-----	133,698	83,563	-----	50,135	-----	50,135
St. Louis-San Francisco Railway Company.....	47,981,639	38,810,424	9,171,215	3,538 418	5,632,797	248,118	5,880,915	434,233	6,315,148	48,832	6,266,316	12,931,815	-----	*6,665,499	-----	*6,665,499
Seaboard Air Line Railway Company.....	38,346,055	31,820,609	6,525,446	2,540,332	3,985,114	*1,064,531	2,920,583	356,168	3,276,751	44,005	3,232,746	9,330,208	-----	*6,097,462	-----	*6,097,462
Tampa Northern Railroad Company.....	77,259	32,637	44,622	32,589	12,033	*242	11,791	105,007	116,798	1,315	115,483	94,757	-----	20,726	-----	20,726
Tampa Union Station Company.....	-----	-----	-----	9,695	*9,695	20,736	11,041	2,315	13,356	147	13,209	12,789	-----	420	-----	420
Tavares & Gulf Railroad Company.....	85,367	59,264	26,103	7,413	18,690	*3,977	14,713	1,005	15,718	294	15,424	24,865	-----	*9,441	-----	*9,441
The Marianna & Blountstown Railroad Company.....	59,508	37,764	21,744	2,239	19,505	*2,633	16,872	141	17,013	-----	17,013	17,109	-----	*96	-----	*96
The South Georgia Railway Company.....	127,652	84,082	43,570	12,766	30,804	*6,260	24,598	1,217	25,815	-----	25,815	12,577	-----	13,238	-----	13,238
Trans Florida Central Railroad Company.....	5,167	5,262	*95	927	*1,022	289	*733	-----	*733	-----	*733	-----	-----	*733	-----	*733
Total.....	\$ 234,899,163	\$ 180,792,945	\$ 54,106,218	\$ 18,440,442	\$ 35,665,776	*\$ 1,587,598	\$ 34,078,178	\$ 6,872,563	\$ 40,950,741	\$ 1,096,021	\$ 39,854,720	\$ 43,793,610	\$ 5,404	*\$ 3,944,294	\$ 217,490	*\$ 4,161,784

Asterisk indicates debit item or deficit.

STATISTICS OF RAILROAD COMPANIES — CALENDAR YEAR 1936
MILEAGE OPERATED — ENTIRE LINE

NAME OF ROAD	Miles of Road	Second Main Track	Miles of Industrial Tracks	Miles of Yard Tracks and Sidings	Total
Alabama, Florida & Gulf Railroad.....	29.00			1.10	30.10
Alabama & Western Florida Railroad Company.....	38.00			3.92	41.92
Apalachicola Northern Railroad.....	99.12			9.02	108.14
Atlanta & St. Andrews Bay Railway Company.....	82.00		4.62	14.16	100.78
Atlantic Coast Line Railroad Company.....	5,102.47	691.54	134.03	1,392.74	7,320.78
Florida East Coast Railway Company.....	684.92	326.88	19.58	409.37	1,440.75
Georgia & Florida Railroad.....	408.53		16.31	51.26	476.10
Georgia Southern & Florida Railway Company.....	397.95	8.84	26.68	125.32	558.79
Jacksonville, Gainesville & Gulf Railway.....	38.25		1.29	5.63	45.17
Jacksonville Terminal Company.....	5.31	(1) 5.03		41.33	51.67
Live Oak, Perry & Gulf Railroad Company.....	77.00		9.21		86.21
Louisville & Nashville Railroad Company.....	4,943.95	(2) 563.33	532.32	2,248.73	8,288.33
Port St. Joe Dock & Terminal Railway Company.....	.70			.60	1.30
St. Johns River Terminal Company.....	14.80	2.46		36.56	53.82
St. Louis-San Francisco Railway Company.....	4,926.66	140.38	547.94	1,276.54	6,891.52
Seaboard Air Line Railway Company.....	4,307.99	63.60	246.94	1,202.95	5,821.48
Tampa Northern Railroad Company.....	2.72			3.69	6.41
Tampa Union Station Company.....	(a) .				
Tavares & Gulf Railroad Company.....	37.71		.98	4.29	42.98
The Marianna & Blountstown Railroad Company.....	42.09			2.75	44.84
The South Georgia Railway Company.....	77.48			11.62	89.10
Trans Florida Central Railroad Company.....	10.79			2.01	12.80
Total.....	21,327.44	1,802.06	1,539.90	6,843.59	31,512.99

(a) Tracks operated jointly by railroads entering Tampa.

(1) Includes 1.31 miles of third and 1.68 miles of fourth main track.

(2) Includes .99 miles of third and 1.06 miles of fourth main track.

STATISTICS OF RAILROAD COMPANIES — CALENDAR YEAR 1936
RAIL-LINE OPERATIONS — ENTIRE LINE

NAME OF ROAD	Total Revenue Passengers Carried	Average Miles Passengers Carried	Average Revenue per Passenger Carried	Total Tons Revenue Freight Hauled	Average Miles per Ton Hauled	Average Revenue per Ton Hauled
Alabama, Florida & Gulf Railroad.....	19	10.21	\$.34	13,296	25.66	\$ 1.38
Alabama & Western Florida Railroad Company.....	607	12.87	.26	46,275	25.89	.35
Apalachicola Northern Railroad.....	9,041	29.55	.54	48,896	58.12	1.55
Atlanta & St. Andrews Bay Railroad Company.....	10,612	38.39	.57	947,672	64.80	.68
Atlantic Coast Line Railroad Company.....	2,320,923	157.06	2.91	13,741,247	161.95	2.30
Florida East Coast Railway Company.....	473,456	240.66	4.72	1,390,219	222.25	3.91
Georgia & Florida Railroad.....	82,751	27.12	.40	820,030	108.65	1.34
Georgia Southern & Florida Railway Company.....	201,953	133.74	2.38	1,059,544	143.48	1.48
Jacksonville, Gainesville & Gulf Railway.....	5	17.00	.29	22,341	29.84	1.34
Jacksonville Terminal Company.....	(a)					
Live Oak, Perry & Gulf Railroad Company.....	9,803	22.00	.31	229,723	43.00	1.02
Louisville & Nashville Railroad Company.....	4,305,816	91.28	1.53	45,092,224	222.47	1.74
Port St. Joe Dock & Terminal Railway Company.....	(a)					
St. Johns River Terminal Company.....	(a)					
St. Louis-San Francisco Railway Company.....	1,357,171	132.18	2.53	16,480,060	234.96	2.45
Seaboard Air Line Railway Company.....	1,885,770	139.13	2.45	13,155,558	190.02	2.27
Tampa Northern Railroad Company.....	(a)					
Tampa Union Station Company.....	(a)					
Tavares & Gulf Railroad Company.....	57	17.51	.30	51,525	27.99	1.64
The Marianna & Blountstown Railroad Company.....				78,404	29.81	.70
The South Georgia Railway Company.....	9,922	14.96	.31	109,732	33.00	1.00
Trans Florida Central Railroad Company.....	227	10.79	.18	3,840	10.79	.99

(a) Not applicable.

STATISTICS OF RAILROAD COMPANIES — CALENDAR YEAR 1936
INVESTMENT IN ROAD AND EQUIPMENT — STATE OF FLORIDA

NAME OF ROAD	Miles of Road Owned Florida	Investment in Road	Investment in Equipment	Other Investments	Total Investment
Alabama, Florida & Gulf Railroad.....	9.91	\$ 44,291	\$ 3,074	\$ 131	\$ 47,496
Alabama & Western Florida Railroad Company.....	19.25	129,527	5,994	6,223	141,744
Apalachicola Northern Railroad.....	98.68	2,777,356	104,150	-----	2,881,506
Atlanta & St. Andrews Bay Railway Company.....	66.00	1,452,340	149,521	-----	1,601,861
Atlantic Coast Line Railroad Company.....	1849.89	74,602,545	19,440,106	93,133	94,135,784
Florida East Coast Railway Company.....	679.02	97,238,010	12,705,241	918,253	110,861,504
Georgia & Florida Railroad.....	12.71	168,089	51,431	*178	219,342
Georgia Southern & Florida Railway Company.....	152.90	4,146,235	1,088,609	1,363	5,236,207
Jacksonville, Gainesville & Gulf Railway.....	38.25	383,036	16,066	4,799	403,901
Jacksonville Terminal Company.....	10.34	4,282,118	235,787	182,278	4,700,183
Live Oak, Perry & Gulf Railroad Company.....	76.00	1,245,843	54,022	-----	1,299,865
Louisville & Nashville Railroad Company.....	241.79	7,666,470	2,495,392	7,576	10,169,438
Port St. Joe Dock & Terminal Railway Company.....	1.30	1,117,544	-----	-----	1,117,544
St. Johns River Terminal Company.....	15.86	2,087,063	53,144	-----	2,140,207
St. Louis-San Francisco Railway Company.....	47.53	2,889,941	346,654	14,559	3,251,154
Seaboard Air Line Railway Company.....	907.79	49,720,231	12,966,477	164,884	62,851,592
Tampa Northern Railroad Company.....	49.47	2,362,147	-----	122,456	2,484,603
Tampa Union Station Company.....	1.72	265,254	-----	17,601	282,855
Tavares & Gulf Railroad Company.....	34.32	677,879	45,255	38,330	761,464
The Marianna & Blountstown Railroad Company.....	42.09	215,249	20,911	1,801	237,961
The South Georgia Railway Company.....	40.49	289,366	31,117	2,905	323,388
Trans Florida Central Railroad Company.....	16.04	92,946	1,055	3,760	97,761
Total.....	4,411.35	\$ 253,853,480	\$ 49,814,006	\$ 1,579,874	\$ 305,247,360

Asterisk indicates credit item.

STATISTICS OF RAILROAD COMPANIES — CALENDAR YEAR 1936
OPERATING REVENUES — STATE OF FLORIDA

NAME OF ROAD	Freight	Passenger	Excess Baggage	Mail	Express	Switching	All Other	Total Revenue
Alabama, Florida & Gulf Railroad.....	\$ 4,899	\$ 2		\$ 1,116	\$ 61		\$ 109	\$ 6,187
Alabama & Western Florida Railroad Company.....	16,546	157		4,275		\$ 112	14	21,104
Apalachicola Northern Railroad.....	75,830	4,842	\$ 12	17,672	3,748		1,999	104,103
Atlanta & St. Andrews Bay Railway Company.....	545,437	4,911	14	12,108	5,237	3,047	1,759	572,513
Atlantic Coast Line Railroad Company.....	7,941,176	1,234,055	6,838	392,519	640,633	72,972	832,856	11,121,049
Florida East Coast Railway Company.....	5,434,470	2,235,319	17,607	277,252	270,995	16,044	362,821	8,614,508
Georgia & Florida Railroad.....	11,396	613		356	125	103	452	13,045
Georgia Southern & Florida Railway Company.....	213,387	95,270	193	25,696	6,661	43	14,433	355,683
Jacksonville, Gainesville & Gulf Railway.....	29,998	1			98	11,911	462	42,470
Jacksonville Terminal Company.....	(a)							
Live Oak, Perry & Gulf Railroad Company.....	235,757	2,995	1	8,878	2,201	269	2,325	252,426
Louisville & Nashville Railroad Company.....	988,448	195,795	1,050	52,144	53,457	33,938	197,606	1,522,438
Port St. Joe Dock & Terminal Railway Company.....	(a)							
St. Johns River Terminal Company.....						363,745	3,369	367,114
St. Louis-San Francisco Railway Company.....	105,315	6,741	97	3,582	2,105	42,222	18,493	178,555
Seaboard Air Line Railway Company.....	7,749,285	1,572,108	8,701	275,684	487,560	114,505	673,041	10,880,884
Tampa Northern Railroad Company.....						77,259		77,259
Tampa Union Station Company.....	(a)							
Tavares & Gulf Railroad Company.....	84,361	17			563	160	266	85,367
The Marianna & Blountstown Railroad Company.....	55,235			3,038	1,027	61	147	59,508
The South Georgia Railway Company.....	61,779	1,325		6,863	235	318	432	70,952
Trans Florida Central Railroad Company.....	3,703	41		1,420			3	5,167
Total.....	\$ 23,557,022	\$ 5,354,192	\$ 34,513	\$ 1,082,603	\$ 1,474,706	\$ 736,709	\$ 2,110,587	\$ 34,350,332

(a) Not applicable.

STATISTICS OF RAILROAD COMPANIES — CALENDAR YEAR 1936

OPERATING EXPENSES — STATE OF FLORIDA

NAME OF ROAD	Maintenance of Way Structures	Maintenance of Equipment	Traffic Expenses	Transportation Expenses	Miscellaneous Operations	General Expenses	Transportation for Investment —Credit	Total Operating Expenses
Alabama, Florida & Gulf Railroad.....	\$ 1,960	\$ 966	\$ 289	\$ 1,624	-----	\$ 272	-----	\$ 5,111
Alabama & Western Florida Railroad Company.....	5,271	10,532	420	10,046	-----	3,535	-----	29,804
Apalachicola Northern Railroad.....	47,965	14,905	6,511	41,002	-----	19,380	-----	129,763
Atlanta & St. Andrews Bay Railway Company.....	65,451	44,020	30,531	132,868	-----	28,438	\$ 26	301,282
Atlantic Coast Line Railroad Company.....	1,165,715	2,129,440	402,857	4,287,108	\$ 103,777	418,707	28,079	8,479,525
Florida East Coast Railway Company.....	1,181,019	1,625,898	269,649	2,801,967	150,603	495,876	9,158	6,515,854
Georgia & Florida Railroad.....	8,022	2,945	707	9,371	-----	1,318	14	22,349
Georgia Southern & Florida Railway Company.....	111,711	82,976	4,102	231,194	10,223	8,137	2	448,521
Jacksonville, Gainesville & Gulf Railway.....	9,568	5,736	797	17,452	-----	3,834	-----	37,387
Jacksonville Terminal Company.....	(a)	-----	-----	-----	-----	-----	-----	-----
Live Oak, Perry & Gulf Railroad Company.....	47,433	25,505	5,723	42,159	-----	18,714	-----	139,534
Louisville & Nashville Railroad Company.....	293,765	431,720	45,890	867,396	26,634	93,493	420	1,758,478
Port St. Joe Dock & Terminal Railway Company.....	-----	-----	-----	-----	-----	15	-----	15
St. Johns River Terminal Company.....	42,288	17,056	-----	171,217	-----	4,312	67	234,806
St. Louis-San Francisco Railway Company.....	56,695	41,151	3,576	134,327	12	12,251	700	247,312
Seaboard Air Line Railway Company.....	1,577,836	2,265,142	525,512	4,051,905	159,148	480,014	30,300	9,029,257
Tampa Northern Railroad Company.....	5,029	127	865	23,497	-----	3,119	-----	32,637
Tampa Union Station Company.....	(a)	-----	-----	-----	-----	-----	-----	-----
Tavares & Gulf Railroad Company.....	15,172	6,589	1,924	30,388	-----	5,191	-----	59,264
The Marianna & Blountstown Railroad Company.....	11,094	6,567	1,549	12,663	-----	5,891	-----	37,764
The South Georgia Railway Company.....	5,142	1,862	493	4,400	-----	1,146	-----	13,043
Trans Florida Central Railroad Company.....	2,342	98	-----	1,267	-----	1,555	-----	5,262
Total.....	\$ 4,653,478	\$ 6,713,235	\$ 1,301,395	\$ 12,871,851	\$ 450,397	\$ 1,605,378	\$ 68,766	\$ 27,526,968

(a) Not applicable.

STATISTICS OF RAILROAD COMPANIES — CALENDAR YEAR 1936
MILEAGE OPERATED (EXCLUSIVE OF YARD TRACKS) — STATE OF FLORIDA

NAME OF ROAD	Line Owned Main Line	Line Owned Branches and Spurs	Lines of Proprietary Companies	Lines Operated under Lease	Lines Operated under Contract	Lines under Track- age Rights	Mileage Operated
Alabama, Florida & Gulf Railroad.....	9.91						9.91
Alabama & Western Florida Railroad Company.....	19.25				18.75		38.00
Apalachicola Northern Railroad.....	95.62	3.06				.44	99.12
Atlanta & St. Andrews Bay Railroad Company.....	66.00						66.00
Atlantic Coast Line Railroad Company.....	1,081.18	763.08	161.73	14.75		9.85	2,030.59
Florida East Coast Railway Company.....	426.00	253.02			5.11	.79	684.92
Georgia & Florida Railroad.....	12.71						12.71
Georgia Southern & Florida Railway Company.....	152.90					5.37	158.27
Jacksonville, Gainesville & Gulf Railway.....	38.25						38.25
Jacksonville Terminal Company.....	(1) 6.15					11.52	17.67
Live Oak, Perry & Gulf Railroad Company.....	64.00	12.00				1.00	77.00
Louisville & Nashville Railroad Company.....	204.71	37.08				.98	242.77
Port St. Joe Dock & Terminal Railway Company.....	.70	.60					1.30
St. Johns River Terminal Company.....	15.86					15.63	31.49
St. Louis-San Francisco Railway Company.....	45.19	2.34					47.53
Seaboard Air Line Railway Company.....	877.33	27.76	140.30	625.46		6.52	1,677.37
Tampa Northern Railroad Company.....	2.72						2.72
Tampa Union Station Company.....	(2)						
Tavares & Gulf Railroad Company.....	34.32					3.39	37.71
The Marianna & Blountstown Railroad Company.....	42.09						42.09
The South Georgia Railway Company.....	40.49						40.49
Trans Florida Central Railroad Company.....	10.68					.11	10.79
Total.....	3,246.06	1,098.94	302.03	640.21	23.86	55.60	5,366.70

(1) Main track owned only.

(2) Tracks operated jointly by railroads entering Tampa.

STATISTICS OF RAILROAD COMPANIES — CALENDAR YEAR 1936
TONS OF REVENUE FREIGHT CARRIED — STATE OF FLORIDA

NAME OF ROAD	Products of Agriculture	Animals and Products	Products of Mines	Products of Forests	Manufactures and Miscellaneous	Merchandise All L.C.L. Freight	Grand Total
Alabama, Florida & Gulf Railroad.....	6,781		4,298	12	752	204	12,047
Alabama & Western Florida Railroad Company.....		230	103	45,769	149	24	46,275
Apalachicola Northern Railroad.....		798	3,592	25,334	17,338	1,834	48,896
Atlanta & St. Andrews Bay Railway Company.....	34,676	83	19,639	687,954	196,818	4,218	943,388
Atlantic Coast Line Railroad Company.....	715,523	60,792	3,516,882	773,413	1,324,360	118,018	6,508,988
Florida East Coast Railway Company.....	238,748	38,153	230,366	271,015	557,168	54,769	1,390,219
Georgia & Florida Railroad.....	3,560	1,664	7,148	13,761	15,521	1,753	43,407
Georgia Southern & Florida Railway Company.....	45,019	14,024	55,924	84,981	198,219	18,319	416,486
Jacksonville, Gainesville & Gulf Railway.....	2,465	32	15,188	2,479	1,943	234	22,341
Jacksonville Terminal Company.....	(a)						
Live Oak, Perry & Gulf Railroad Company.....	4,309		2,677	202,169	17,941	2,627	229,723
Louisville & Nashville Railroad Company.....	44,936	10,322	193,965	480,965	315,193	29,542	1,074,748
Port St. Joe Dock & Terminal Railway Company.....	(a)						
St. Johns River Terminal Company.....	(a)						
St. Louis-San Francisco Railway Company.....	21,605	1,315	41,888	82,840	81,749	3,506	232,903
Seaboard Air Line Railway Company.....	514,783	38,083	2,998,696	609,518	831,681	98,865	5,111,581
Tampa Northern Railroad Company.....	(a)						
Tampa Union Station Company.....	(a)						
Tavares & Gulf Railroad Company.....	35,187	39	2,401	4,761	8,713	424	51,525
The Marianna & Blountstown Railroad Company.....	102	273	12,671	61,552	2,914	892	78,404
The South Georgia Railway Company.....	3,335		2,093	66,578	7,194	540	79,740
Trans Florida Central Railroad Company.....				245	3,347	248	3,840
Total.....	\$ 1,671,029	185,763	7,107,531	3,413,171	3,581,000	336,017	16,294,511

(a) Not applicable.

WRECK AND ACCIDENT REPORT — RAILROAD 1937

CLASSIFICATION OF WRECKS AND ACCIDENTS	Apalachicola Northern Railroad Co.	Atlanta and St. Andrews Bay Ry.	Atlantic Coast Line Railroad	Florida East Coast Railway	Louisville & Nashville Railroad Co.	Seaboard Air Line Railway	Total
I. COLLISIONS:							
1. Negligence or carelessness of employees.....					1	3	4
2. Weather conditions.....							
3. Mechanical equipment, signals, etc.....							
II. DERAILMENTS:							
1. Negligence or carelessness of employees.....	1			1		4	6
2. Washouts, etc.....							
3. Track defects.....	1		2			2	5
4. Way and structure defects.....				1			1
5. Car equipment defects.....		2	1	1		3	7
6. Engine equipment defects.....				1			1
7. Not otherwise classified.....				3		2	5
III. EXPLOSIONS:							
1. Negligence or carelessness of employees.....							
2. Defective equipment.....							
IV. MISCELLANEOUS:							
1. Improper loading.....							
2. Animal on track.....							
3. Other obstruction on track.....							
4. Criminal intent, tampered switches, etc.....							

WRECK AND ACCIDENT REPORT — RAILROAD 1937

CLASSIFICATION OF WRECKS AND ACCIDENTS	Apalachicola Northern Railroad Co.	Atlanta and St. Andrews Bay Ry.	Atlantic Coast Line Railroad	Florida East Coast Railway	Louisville & Nashville Railroad Co.	Seaboard Air Line Railway	Total
V. PERSONAL ACCIDENTS:							
1. Employees on duty.....		2	1				3
2. Employees off duty.....			1	1			2
3. Passengers.....					1		1
4. Trespassers—							
a. Walking on track, crossing track.....	1	1	3	7	1	2	15
b. At public crossing.....			1	1			2
c. Beating way on train.....		1	2			6	9
d. Suicide.....				1		3	4
e. Other causes.....		1	5	3	2	6	17
VI. GRADE CROSSINGS:							
1. Automobile accidents.....		8	10	53	2	7	80
2. Other vehicle accidents.....							
CASUALTIES:							
Employees killed.....		1		2		2	5
Employees wounded.....		4	3	1		6	14
Others killed.....	1	3	10	20	3	16	53
Others wounded.....	1	8	37	17	3	11	77
DAMAGE:							
Track.....	\$ 575.00	\$ 610.00	\$ 1,744.00	\$ 1,920.89	\$ 59.03	\$ 6,650.13	\$ 11,559.05
Equipment.....		330.00	11,868.00	13,600.25	1,025.03	32,483.90	59,307.18

**STATISTICS OF BRIDGE COMPANIES
GENERAL BALANCE SHEET AT DECEMBER 31, 1936**

ASSETS	Gandy Bridge Company	Pensacola Bridge Corporation	Tampa- Clearwater Bridge Co.
Investment in road and equipment.....	\$3,641,732.64	\$1,810,258.44	\$ 706,036.23
Sinking fund.....	77,868.99		
Miscellaneous physical property.....	163,260.09	474,148.89	
Other investments.....		60,546.99	
Current assets.....	266,808.71	11,408.79	17,793.46
Deferred assets.....			562.88
Rents and insurance premiums paid in advance.....	2,802.10	13,334.67	1,231.92
Discount on funded debt.....	52,523.95	578,360.78	
Other unadjusted debits.....	1,533,744.12	33,090.77	5,000.00
Grand Total.....	\$5,738,740.60	\$2,981,149.33	\$ 730,624.49
LIABILITIES			
Capital stock.....	\$2,584,737.50	\$ 600,600.00	\$ 115,000.00
Funded debt.....	1,580,000.00	2,747,500.00	570,000.00
Current liabilities.....	99,456.45	4,466.66	8,406.85
Unadjusted credits.....	881,573.94	398,777.04	51,179.99
Appropriated surplus.....	200,311.32		
Profit and loss.....	392,661.39	770,194.37*	13,962.35*
Grand Total.....	\$5,738,740.60	\$2,981,149.33	\$ 730,624.49

*Indicates debit item or deficit.

**STATISTICS OF BRIDGE COMPANIES
PROFIT AND LOSS ACCOUNT — CALENDAR YEAR 1936**

ITEMS	Gandy Bridge Company	Pensacola Bridge Corporation	Tampa- Clearwater Bridge Co.
Balance at beginning of year.....	\$ 310,991.06	\$ 527,149.46*	\$ 13,026.77*
Balance transferred from income.....	88,594.27	88,936.40*	6,481.73*
Miscellaneous credits.....	13,054.56	29,469.75	7,672.98
Surplus applied to sinking and other reserve funds.....	12,883.33		
Debit discount extinguished through surplus.....		181,496.38	
Debits from retired road and equipment.....	17.00	1,753.18	
Miscellaneous debits.....	7,078.17	328.70	2,126.83
Profit and Loss Balance.....	\$ 392,661.39	\$ 770,194.37*	\$ 13,962.35*

*Indicates debit item or deficit.

**STATISTICS OF BRIDGE COMPANIES
INCOME ACCOUNT — CALENDAR YEAR 1936**

NAME OF ACCOUNTS	Gandy Bridge Company	Pensacola Bridge Corporation	Tampa- Clearwater Bridge Co.
Operating revenues—tolls.....	\$ 356,135.30	\$ 76,610.25	\$ 94,391.50
Operating expenses.....	107,758.19	82,261.24	70,224.05
Net revenue from bridge operations.....	\$ 248,377.11	\$ 5,650.99*	\$ 24,167.45
Bridge tax accruals.....	48,625.40	4,383.33	4,204.80
Bridge operating income.....	\$ 199,751.71	\$ 10,034.32*	\$ 19,962.65
Other income.....	457.50	38,563.17	
Total income.....	\$ 200,209.21	\$ 28,528.85	\$ 19,962.65
Miscellaneous deductions from income.....	4,270.77	75,297.73	2,668.27
Income available for fixed charges.....	\$ 195,938.44	\$ 46,768.88*	\$ 17,294.38
Fixed charges.....	107,344.17	42,167.52	23,776.11
Income after fixed charges, transferred to profit and loss..	\$ 88,594.27	\$ 88,936.40*	\$ 6,481.73*

*Indicates debit item or deficit.

**STATISTICS OF EXPRESS COMPANIES—CALENDAR YEAR 1936
GENERAL BALANCE SHEET—ENTIRE LINE**

ASSETS	Railway Express Agency, Incorporated	Southeastern Express Company
Real property and equipment.....	\$ 44,182,171.48	\$ 1,225,533.11
Miscellaneous physical property.....	3,677,424.14	
Investments in affiliated companies—stocks.....	28,500.00	25,000.00
Other investments:		
Stocks.....	300.00	
Bonds.....	394,851.71	
Notes.....	6,000.70	4,137.88
Cash.....	23,379,377.12	981,624.75
Special deposits.....	657.50	
Loans and notes receivable.....	3,462.83	
Traffic balances receivable.....	76,816.28	
Net balances receivable from agents and messengers.....	4,703,645.20	113,826.85
Miscellaneous accounts receivable.....	972,369.43	73,553.14
Material and supplies.....	557,047.69	3,948.25
Interest, dividends and rents receivable.....	3,416.96	
Working fund advances.....	13,605.00	
Other current assets.....	96,808.21	
Other deferred assets.....		8,193.26
Rents and insurance premiums paid in advance.....	66,492.44	2,681.40
Taxes paid in advance.....	273,524.57	
Discount on funded debt.....	294,172.99	
Other unadjusted debits.....	118,972.80	4,492.30
Grand Total.....	\$ 78,849,617.05	\$ 2,443,170.94
LIABILITIES		
Capital stock.....	\$ 100,000.00	\$ 1,000,000.00
Long-term debt.....	29,164,395.18	
Traffic balances payable.....	76,745.99	4,702.55
Audited accounts and wages unpaid.....	4,539,803.93	288,897.28
Miscellaneous accounts payable.....	2,527,885.84	
Matured interest, dividends and rents unpaid.....	4,525.00	37.12
Matured funded debt unpaid.....	7,000.00	
Miscellaneous advances payable.....	8,180.00	
Unpaid money orders, checks and drafts.....	1,406,150.27	224,180.53
Express privilege liabilities.....	6,646,300.57	156,473.16
Estimated tax liability.....	2,960,921.75	12,335.86
Unmatured interest, dividends and rents payable.....	516,645.65	
Other current liabilities.....	2,506,384.91	88,071.36
Other deferred liabilities.....	3,650.00	
Operating and insurance reserves.....	1,216,492.27	9,611.77
Accrued depreciation—buildings.....	4,112,698.03	83,261.43
Accrued depreciation—equipment.....	22,176,439.94	442,374.71
Accrued depreciation—miscellaneous physical property.....	770,828.39	
Other unadjusted credits.....	104,569.33	2,001.22
Profit and loss—credit balance.....		131,223.95
Grand Total.....	\$ 78,849,617.05	\$ 2,443,170.94

STATISTICS OF EXPRESS COMPANIES — CALENDAR YEAR 1936
INVESTMENT IN REAL PROPERTY AND EQUIPMENT — ENTIRE COMPANY AND STATE OF FLORIDA

NAME OF ACCOUNT	RAILWAY EXPRESS AGENCY, INC.		SOUTHEASTERN EXPRESS COMPANY	
	Entire Company	State of Florida	Entire Company	State of Florida
Land.....	\$ 5,792,902.51	\$ 210,261.87	\$ 20,081.50	-----
Buildings and appurtenances on land owned.....	7,091,166.73	164,437.25	46,389.23	-----
Buildings and appurtenances on land not owned.....	3,334,347.79	692,599.69	85,476.76	-----
Improvements to buildings not owned.....	90,388.23	141.04	40,268.41	-----
Cars.....	963,636.51	-----	-----	-----
Automobiles.....	19,375,076.04	271,400.34	821,820.34	17,853.88
Office furniture and equipment.....	1,012,661.05	15,035.88	47,624.04	1,573.92
Office sales.....	407,871.79	6,455.35	25,094.06	163.10
Trucks.....	2,523,973.17	86,720.55	69,038.66	2,145.33
Garage equipment.....	652,077.02	2,257.43	4,772.05	410.80
Line equipment.....	236,098.45	-----	-----	-----
Shop equipment.....	178,484.75	3,120.26	-----	-----
Miscellaneous equipment.....	8,175.61	-----	-----	-----
Minor equipment.....	2,515,311.84	47,251.40	64,968.06	-----
Total Real Property and Equipment.....	\$ 44,182,171.48	\$ 1,499,681.03	\$ 1,225,533.11	\$ 22,147.03

STATISTICS OF EXPRESS COMPANIES — CALENDAR YEAR 1936
PROFIT AND LOSS ACCOUNT — ENTIRE COMPANY

ITEM	Railway Express Agency, Incorporated	Southeastern Express Company
Credit balance at beginning of year.....		\$ 131,223.95
Profit on real property and equipment sold.....	\$ 171.63	
Unrefundable overcharges.....	715.90	194.31
Miscellaneous credits.....	10,757.28	2,865.11
Total Credits.....	\$ 11,644.81	\$ 134,283.37
Debit balance transferred from income.....	\$ 4,944.18	
Dividend appropriations of surplus.....		3,011.91
Loss on land sold.....	2,624.56	
Miscellaneous debits.....	4,076.07	47.51
Credit balance carried to balance sheet.....		131,223.95
Total Debits.....	\$ 11,644.81	\$ 134,283.37

STATISTICS OF EXPRESS COMPANIES — CALENDAR YEAR 1936
INCOME ACCOUNT — ENTIRE COMPANY

ITEM	Railway Express Agency, Incorporated	Southeastern Express Company
OPERATING INCOME		
Charges for transportation.....	\$155,446,478.31	\$ 6,269,567.37
Express privileges—debit.....	59,326,143.33	2,483,896.65
Revenue from transportation.....	\$ 96,120,334.98	\$ 3,785,670.72
Revenue from operations other than transportation.....	2,513,484.14	117,896.18
Total operating revenues.....	\$ 98,633,819.12	\$ 3,903,566.90
Operating expenses.....	92,668,064.87	3,705,139.97
Net operating revenue.....	\$ 5,965,754.30	\$ 198,426.93
Uncollectible revenue from transportation.....	13,761.29	1,160.50
Express taxes.....	4,534,170.38	139,856.16
Operating Income.....	\$ 1,417,822.53	\$ 57,410.27
OTHER INCOME		
Rent from real property and equipment used jointly.....	\$ 239.34	
Miscellaneous rent income.....	21,316.50	
Dividend income.....	10.00	
Income from funded securities.....	13,958.54	
Income from unfunded securities and accounts.....	472.48	\$ 9.42
Miscellaneous income.....	154,494.17	
Total other income.....	\$ 190,491.03	\$ 9.42
Gross income.....	\$ 1,608,313.56	\$ 57,419.69
DEDUCTIONS FROM GROSS INCOME		
Rent for real property and equipment used jointly.....	\$ 842.07	
Interest on funded debt.....	1,556,327.99	
Interest on unfunded debt.....	6,513.54	\$ 431.60
Amortization of discount on funded debt.....	49,293.85	
Miscellaneous debits.....	280.29	
Total deductions from gross income.....	\$ 1,613,257.74	\$ 431.60
Net income.....	\$ 4,944.18	\$ 56,988.09
DISPOSITION OF NET INCOME		
Dividend appropriations of income.....		\$ 56,988.09
Income balance transferred to profit and loss—debit.....	\$ 4,944.18	

STATISTICS OF EXPRESS COMPANIES — CALENDAR YEAR 1936
OPERATING REVENUES — ENTIRE COMPANY AND STATE OF FLORIDA

ACCOUNT	RAILWAY EXPRESS AGENCY, INC.		SOUTHEASTERN EXPRESS COMPANY	
	Entire Company	State of Florida	Entire Company	State of Florida
TRANSPORTATION				
Express domestic.....	\$ 154,569,210.09		\$ 6,011,397.55	\$ 100,425.84
Miscellaneous.....	877,268.22		258,169.82	
Total transportation.....	\$ 155,446,478.31	\$ 3,582,618.77	\$ 6,269,567.37	\$ 100,425.84
Contract payments—express privileges.....	59,326,143.33	1,469,806.98	2,483,896.65	41,495.95
Revenue from transportation.....	\$ 96,120,334.98	\$ 2,112,811.79	\$ 3,785,670.72	\$ 58,929.89
OPERATIONS OTHER THAN TRANSPORTATION				
Customs brokerage fees.....	\$ 149,526.32		\$ 52.91	
Order and commission.....	6,270.87			
Rents of buildings and other property.....	76,661.73		460.00	
Money orders.....			25,173.28	300.05
C.O.D. Checks.....	1,515,435.09		82,827.55	602.00
Profit on exchange and other financial revenue.....	76.54			
Miscellaneous.....	765,513.59		9,382.44	
Total other than transportation.....	\$ 2,513,484.14	\$ 73,988.63	\$ 117,896.18	\$ 902.00
Total operating revenues.....	\$ 98,633,819.12	\$ 2,168,800.42	\$ 3,903,566.90	\$ 59,831.94

STATISTICS OF EXPRESS COMPANIES — CALENDAR YEAR 1936
OPERATING EXPENSES — ENTIRE COMPANY AND STATE OF FLORIDA

ACCOUNT	RAILWAY EXPRESS AGENCY, INC.		SOUTHEASTERN EXPRESS COMPANY	
	Entire Company	State of Florida	Entire Company	State of Florida
Maintenance expense.....	\$ 4,166,913.81	\$ 94,051.47	\$ 133,269.07	\$ 2,038.85
Traffic expense.....	549,775.25	12,741.66	101,190.32	1,550.43
Transportation expense.....	82,350,158.86	1,908,559.29	3,228,740.42	49,494.65
General expense.....	5,601,216.90	129,814.59	241,940.16	3,708.55
Total operating expenses.....	\$ 92,668,064.82	\$ 2,145,167.01	\$ 3,705,139.97	\$ 56,792.48
Ratio of operating expenses to operating revenue—percent.....	93.95	98.10	94.92	94.92

**STATISTICS OF SLEEPING CAR COMPANIES —
CALENDAR YEAR 1936**

**GENERAL BALANCE SHEET — ENTIRE COMPANY
BALANCE AT DECEMBER 31, 1936**

ASSETS	The Pullman Company
Investment in sleeping car property.....	\$ 251,632,851.64
Miscellaneous physical property.....	3,311.63
Investments in stocks.....	408,211.94
Investment in bonds.....	6,388,030.64
Investments in notes.....	100,510.00
Cash.....	13,649,058.94
Special deposits.....	3,000.00
Loans and bills receivable.....	8,002.06
Net balance receivable from receiving cashiers and ticket agents.....	940,326.27
Miscellaneous accounts receivable.....	3,466,044.40
Material and supplies.....	4,685,639.93
Interest and dividends receivable.....	99,421.35
Other current assets.....	212,738.97
Working fund advances.....	23,060.55
Insurance and other funds.....	5,883,768.73
Other deferred assets.....	77,275.34
Rents and insurance premiums paid in advance.....	36,868.37
Other unadjusted debits.....	5,560,692.48
Grand Total.....	\$ 293,178,813.24
LIABILITIES	
Capital stock.....	\$ 108,135,000.00
Wages payable.....	1,065,567.52
Miscellaneous accounts payable.....	2,671,572.46
Dividends matured unpaid.....	1,613.30
Other current liabilities.....	8,235.56
Liability for provident funds.....	5,354,424.05
Other deferred liabilities.....	1,571.81
Tax liability.....	3,556,680.49
Insurance and casualty reserves.....	296,178.37
Operating reserves.....	20,000.00
Accrued depreciation—equipment.....	153,420,478.57
Accrued depreciation—buildings, appurtenances, and grounds.....	3,884,099.31
Other unadjusted credits.....	12,076,797.16
Miscellaneous fund reserves.....	255,335.84
Appropriated surplus not specifically invested.....	1,492,324.48
Profit and loss—credit balance.....	938,934.32
Grand Total.....	\$ 293,178,813.24

**STATISTICS OF SLEEPING CAR COMPANIES —
CALENDAR YEAR 1936**

**OPERATING REVENUES AND EXPENSES —
ENTIRE COMPANY AND STATE OF FLORIDA**

NAME OF ACCOUNT	THE PULLMAN COMPANY	
	Entire Company	State of Florida
OPERATING REVENUES		
Standard sleeping car berth revenue.....	\$ 45,499,113.34	\$ 1,228,235.95
Tourist sleeping car berth revenue.....	2,776,069.59	710.18
Other car berth revenue.....	3,564.45	-----
Standard sleeping car seat revenue.....	1,385,498.15	46,796.64
Tourist sleeping car seat revenue.....	4,911.49	-----
Parlor car seat revenue.....	2,956,258.92	5,159.01
Composite car seat revenue.....	12,876.12	561.78
Other car seat revenue.....	216.50	-----
Charter of standard sleeping cars—per diem rates.....	432,090.03	3,506.19
Charter of standard sleeping cars—berth rates.....	160,796.97	-----
Charter of tourist sleeping cars—per diem rates.....	126,970.00	242.81
Charter of tourist sleeping cars—berth rates.....	228.15	-----
Charter of private cars—per diem rates.....	124,408.28	5,376.92
Charter of other cars to other than carriers—per diem rates.....	30,114.00	-----
Charter of other cars—berth or seat rates.....	3,844.05	-----
Charter of other cars to carriers—other rates.....	401,926.79	14,515.21
Miscellaneous revenue.....	54,117.25	1,038.03
Car mileage revenue.....	6,953,707.37	33,236.96
Contract revenue—debit.....	4,579,670.37	190,178.26
Grand Total.....	\$ 56,347,041.08	\$ 1,149,201.42
OPERATING EXPENSES		
Maintenance.....	\$ 26,552,539.83	\$ 527,947.96
Conducting car operations.....	20,258,331.86	396,497.70
General expenses.....	3,291,087.21	63,987.81
Total operating expenses.....	\$ 50,101,958.90	\$ 988,433.47
Ratio of expenses to revenue—per cent.....	88.92	86.01
Taxes.....	\$ 3,077,476.36*	\$ 68,304.66**

*Does not include \$81,641.12 taxes applicable to auxiliary operations.

**State tax only, does not include a portion of Federal Income or other Federal Taxes.

STATISTICS OF SLEEPING CAR COMPANIES — CALENDAR YEAR 1936
OPERATING AND STATISTICAL STATEMENT — ENTIRE COMPANY

KIND OF CAR	NUMBER OF PASSENGERS			Number of Nonrevenue Passengers	Car Miles	Car Days	Average Revenue per Passenger	
	Berth	Seat	Total				Berth	Seat
CONTRACT OPERATIONS:								
Standard sleeping cars.....	11,109,656	1,566,427	12,676,083	403,280	701,469,997	1,619,359	\$ 4.10	\$.88
Tourist sleeping cars.....	939,488	6,485	945,973	12,619	56,842,808	113,964	2.95	.76
Parlor cars.....		3,570,380	3,570,380	50,105	51,625,329	193,449		.83
Composite cars.....		4,999	4,999	304	15,319,294	30,433		2.58
Miscellaneous cars.....	215	86	301		688,293	2,813	16.58	2.52
Total—Contract Operations.....	12,049,359	5,148,377	17,197,736	466,328	825,945,721	1,960,018	\$ 4.01	\$.85

	Dollars	Cents	Mills
Sleeping car operations—revenues.....	\$ 56,347,041	.08	
Revenues per car-mile.....		.06	822
Revenues per car-day.....	28	.74	822
Sleeping car operations—expenses.....	50,101,958	.90	
Expenses per car-mile.....		.06	066
Expenses per car-day.....	25	.56	199
Net revenue.....	6,245,082	.18	
Net revenue per car-mile.....		.00	756
Net revenue per car-day.....	3	.18	623

	AMOUNT
Passenger miles.....	8,354,840,293
Revenue per passenger mile.....	.0063
Average number of car-miles per car-day.....	421.397
Average number of car-miles per mile of trackage operated over.....	7,184.386
AVERAGE CAPACITY PER CAR (PASSENGER)	
Standard sleeping cars, berths.....	24.91
Tourist sleeping cars, berths.....	29.61
Parlor cars, seats.....	30.25
Composite cars, seats.....	28.18
Average cost per car of new cars placed in service during the year:	
Other than steel, lightweight.....	\$ 80,000.00
AVERAGE WEIGHT PER CAR EQUIPPED FOR SERVICE:	
Steel cars, pounds.....	166,000
Other than steel cars, pounds.....	150,750

STATISTICS OF ELECTRIC RAILWAYS — CALENDAR YEAR 1936
GENERAL BALANCE SHEET

ASSETS	City of St. Petersburg	Motor Transit Company	Tampa Electric Company	The Miami Beach Railway Company
Road and Equipment.....	\$ 1,412,207.28	\$ 1,189,957.65	\$ 3,329,418.10	\$ 487,276.90
Miscellaneous physical property.....			14,239,704.77	368,672.10
Other investments:				
Stocks.....			5,018.00	
Bonds.....			16,000.00	3,500.00
Miscellaneous.....			1,561.62	
Cash.....	430.00	68,385.47	505,533.09	85,131.97
Special deposits.....		6,003.13		
Loans and notes receivable.....			8,225.93	
Miscellaneous accounts receivable.....		4,386.11	858,319.94	46,621.18
Material and supplies.....	22,233.57	13,008.22	362,508.67	17,848.98
Interest, dividends and rents receivable.....		6.25	2,353.37	
Other current assets.....			11,500.00	1,550.25
Unadjusted debits.....		3,130.94	27,464.23	268,541.33
Grand Total.....	\$ 1,434,870.85	\$ 1,284,877.77	\$19,367,607.72	\$ 1,279,142.71

LIABILITIES	City of St. Petersburg	Motor Transit Company	Tampa Electric Company	The Miami Beach Railway Company
Capital stock.....		\$ 688,320.00	\$12,357,253.20	\$ 100,000.00
Funded debt.....		1,799,086.63		100,000.00
Nonnegotiable debt to affiliated companies.....				2,203,000.00
Audited accounts and wages payable.....		24,996.99	81,580.95	26,139.09
Miscellaneous accounts payable.....	292,107.92			
Accrued interest, dividends and rents payable.....		354,568.91	10,654.50	71,001.21
Other current liabilities.....				1,939.05
Other deferred liabilities.....			227,480.86	
Tax liability.....		14,866.15	299,374.06	2,536.33
Insurance and casualty reserves.....				27,601.48
Operating reserves.....		30,536.80	120,043.41	25,410.96
Accrued depreciation:				
Road and equipment.....	709,034.80	242,996.32	*4,265,589.84	56,846.32
Miscellaneous physical property.....	24,315.46			92,782.84
Other unadjusted credits.....		9,754.96		1,298.01
Profit and loss—credit balance.....	409,412.67	**1,880,248.99	2,005,630.90	**1,429,412.58
Grand Total.....	\$ 1,434,870.85	\$ 1,284,877.77	\$19,367,607.72	\$ 1,279,142.71

*includes both road and equipment and miscellaneous physical property.

**Indicates debit item or deficit.

STATISTICS OF ELECTRIC RAILWAYS — CALENDAR YEAR 1936
INCOME STATEMENT FOR THE YEAR

ITEM	City of St. Petersburg	Motor Transit Company	Tampa Electric Company	The Miami Beach Railway Company
Railway operating revenues.....	\$ 184,372.30	\$ 636,031.20	\$ 530,041.19	\$ 418,899.16
Railway operating expenses.....	202,867.02	517,369.83	558,637.98	340,732.15
Net revenue—railway operations.....	\$ 18,494.72*	\$ 118,661.37	\$ 28,596.79*	\$ 78,167.01
Auxiliary operations—revenues.....	\$ 14,454.20			
Auxiliary operations—expenses.....	23,571.64			
Net revenue—auxiliary operations.....	\$ 9,117.44*			
Net operating revenue.....	\$ 27,612.16*	\$ 118,661.37	\$ 28,596.79*	\$ 78,167.01
Taxes assignable to railway operations.....		74,237.44	40,737.18	3,721.40
Operating income.....	\$ 27,612.16*	\$ 44,423.93	\$ 69,333.97*	\$ 74,445.61
NON-OPERATING INCOME				
Miscellaneous rent income.....		\$ 1,361.76	\$ 180.00	
Net income from miscellaneous physical property.....			1,448,529.81	
Income from funded securities.....		175.00	955.00	140.00
Income from unfunded securities and accounts.....			4,827.96	
Miscellaneous income.....		53.99	3,531.95	77.24
Total nonoperating income.....		\$ 1,590.75	\$ 1,458,024.72	\$ 217.24
Gross income.....	\$ 27,612.16*	\$ 46,014.68	\$ 1,388,690.75	\$ 74,662.85
DEDUCTIONS FROM GROSS INCOME				
Rent for leased roads.....				\$ 23,929.53
Net loss on miscellaneous physical property.....				13,904.50
Interest on funded debt.....		112,319.80	12,799.12	8,000.00
Interest on unfunded debt.....				28,828.82
Miscellaneous debits.....		40.00	3,609.24	
Total deductions from gross income.....		\$ 112,359.80	\$ 16,408.36	\$ 74,662.85
Income balance transferred to profit and loss.....	\$ 27,612.16*	\$ 66,345.12*	\$ 1,372,282.39	

*Indicates deficit

STATISTICS OF ELECTRIC RAILWAYS — CALENDAR YEAR 1936
RAILWAY OPERATING REVENUES AND EXPENSES

ITEM	City of St. Petersburg	Motor Transit Company	Tampa Electric Company	The Miami Beach Railway Company
RAILWAY OPERATING REVENUES				
Passenger revenue.....	\$ 183,437.33	\$ 629,199.91	\$ 526,987.81	\$ 361,605.85
Parlor, sleeping and dining car revenue.....		5,996.08	165.00	32.25
Miscellaneous transportation revenue.....				53,719.06
Total revenue from transportation.....	\$ 183,437.33	\$ 633,195.99	\$ 527,152.81	\$ 415,357.16
Station and car privileges.....	\$ 818.42	\$ 1,875.23	\$ 2,748.16	\$ 3,363.84
Rent of buildings and other property.....		544.95		
Power.....		415.03		
Miscellaneous.....	116.55		140.22	178.16
Total revenue from other railway operations.....	\$ 934.97	\$ 2,835.21	\$ 2,888.38	\$ 3,542.00
Total operating revenues.....	\$ 184,372.30	\$ 636,031.20	\$ 530,041.19	\$ 418,899.16
RAILWAY OPERATING EXPENSES				
Way and structures.....	\$ 50,342.90	\$ 28,570.74	\$ 129,789.42	\$ 16,386.81
Equipment.....	37,682.49	139,688.09	93,243.22	41,598.30
Power.....	42,435.50	57,891.59	32,880.70	99,983.21
Conducting transportation.....	63,783.01	213,398.06	223,620.13	117,460.04
Traffic.....	1,251.72	3,061.26	2,216.64	12.00
General and miscellaneous.....	7,371.40	74,760.09	76,887.87	65,291.79
Total operating expenses.....	\$ 202,867.02	\$ 517,369.83	\$ 558,637.98	\$ 340,732.15
Ratio of operating expenses to revenue—per cent.....	110.03	81.34	105.40	81.34

STATISTICS OF ELECTRIC RAILWAYS — CALENDAR YEAR 1936
ROAD OPERATED AT CLOSE OF YEAR

NAME OF COMPANY	Miles of Road	Miles of Second Main Track	Miles of Sidings and Turnouts	Miles of Track in Carhouses, Shops, etc.	Total
City of St. Petersburg.....	29.29	*1.91	2.16	2.08	35.44
Tampa Electric Company.....	44.26	2.94	5.01	.96	53.17
The Miami Beach Railway Company.....	23.16	4.76	1.09	.66	29.67

*Includes 38-100ths miles of all other main tracks.

Motor Transit Company, of Jacksonville, discontinued street car operations on December 12, 1936.

STATISTICS OF ELECTRIC RAILWAYS — CALENDAR YEAR 1936
MILEAGE, TRAFFIC AND MISCELLANEOUS STATISTICS.
RAIL-LINE OPERATIONS.

ITEM	City of St. Petersburg	Motor Transit Company	Tampa Electric Company	The Miami Beach Railway Company
Passenger car mileage.....	1,165,141	200,990	3,181,427	1,517,893
Total car mileage.....	1,165,141	200,990	3,181,427	1,517,893
Passenger car-hours.....	112,275	23,639	339,415	184,300
Regular fare passengers carried.....	2,701,082	643,497	10,778,424	6,348,218
Free transfer passengers carried.....		238,598	2,701,552	1,460,602
Total passengers carried.....	2,701,082	882,095	13,479,976	7,808,820
Employees and others carried free.....	6,500	428	134,624	48,241
Passenger revenue.....	\$ 183,437.33	\$ 39,900.33	\$ 526,987.81	\$ 361,605.85
Average fare, revenue passengers.....	\$.06791	\$.06201	\$.04889	\$.05696
Average fare, all passengers (including transfers).....	\$.06791	\$.04523	\$.03909	\$.04631
Total revenue from transportation.....	\$ 183,437.33	\$ 39,900.33	\$ 527,152.81	\$ 415,357.16
Revenue from transportation per car-mile.....	\$.15743	\$.19852	\$.16570	\$.27364
Revenue from transportation per car-hour.....	\$ 1.63382	\$ 1.68790	\$ 1.55312	\$ 2.25370
Total revenue from other railway operations.....	\$ 934.97	\$ 1,067.86	\$ 2,888.38	\$ 3,542.00
Revenue from other railway operations per car-mile.....	\$.00080	\$.00531	\$.00090	\$.00233
Revenue from other railway operations per car-hour.....	\$.00832	\$.04518	\$.00851	\$.01922
Total operating revenues.....	\$ 184,372.30	\$ 40,968.19	\$ 530,041.19	\$ 418,899.16
Operating revenues per car-mile.....	\$.15823	\$.20383	\$.16661	\$.27597
Operating revenues per car-hour.....	\$ 1.64214	\$ 1.73308	\$ 1.56163	\$ 2.27292
Total operating expenses.....	\$ 202,867.02	\$ 63,155.71	\$ 558,637.98	\$ 340,732.15
Operating expenses per car-mile.....	\$.17411	\$.31422	\$.17559	\$.22448
Operating expenses per car-hour.....	\$ 1.80687	\$ 2.67167	\$ 1.64588	\$ 1.84879

Does not include motor bus operation.

STATISTICS OF ELECTRIC RAILWAYS — CALENDAR YEAR 1936
MILEAGE, TRAFFIC AND MISCELLANEOUS STATISTICS
MOTOR BUS OPERATIONS

ITEM	City of St. Petersburg	Motor Transit Company	The Miami Beach Railway Company
Passenger car mileage.....	209,738	3,815,901	928,687
Total car mileage.....	209,738	3,815,901	928,687
Passenger car-hours.....	18,307	318,444	78,175
Regular fare passengers carried.....	221,736	9,233,060	1,303,950
Free transfer passengers carried.....		2,039,176	627,922
Total passengers carried.....	221,736	11,272,236	1,931,872
Employees and others carried free.....	950	10,036	7,343
Passenger revenue.....	\$ 14,333.85	\$ 589,299.58	\$ 129,016.10
Average fare revenue passengers.....	\$.06477	\$.06382	\$.09894
Average fare all passengers (including transfer).....	\$.04477	\$.05228	\$.06678
Total revenue from transportation.....	\$ 14,333.85	\$ 533,295.66	\$ 110,363.21
Revenue from transportation per car-mile.....	\$.06834	\$.15548	\$.14037
Revenue from transportation per car-hour.....	\$.78296	\$ 1.86311	\$ 1.66758
Total revenue from other railway operations.....	\$ 120.35	\$ 1,767.35	
Revenue from other railway operations per car-mile.....	\$.00057	\$.00046	
Revenue from other railway operations per car-hour.....	\$.00657	\$.00555	
Total operating revenues.....	\$ 14,454.20	\$ 595,063.01	\$ 130,363.21
Operating revenues per car-mile.....	\$.06891	\$.15594	\$.14037
Operating revenues per car-hour.....	\$.78953	\$ 1.86866	\$ 1.66758
Total operating expenses.....	\$ 23,571.64	\$ 454,214.12	\$ 127,553.39*
Operating expenses per car-mile.....	\$.11238	\$.19032	\$.13735
Operating expenses per car-hour.....	\$ 1.28757	\$ 1.42635	\$ 1.63164

*Does not include taxes assignable to Coach Operations.

STATISTICS OF BOAT LINE OPERATIONS — CALENDAR YEAR 1936
GENERAL BALANCE SHEET — ENTIRE COMPANY

ASSETS	A.G.W. Lines Inc.	Brown Motor Freight and Boat Lines, Inc.	Kinzie Brothers Steamer Line	Pensacola, St. Andrews and Gulf Steamship Company	St. Johns River Line Company	Suwannee Steamship Company
Investment in real property and equipment.....	\$ 10,682,535.69	\$ 26,231.83	\$ 58,448.00	\$ 47,078.58	\$ 204,541.24	\$ 8,280.73
Reserves for accrued depreciation.....	8,051,068.31*	17,080.19*	27,615.00*	32,293.59*	64,644.61*	1,623.49*
Securities of transportation system corporations—unpledged.....	8,143,183.29					
Long-term advances to transportation system corporations.....	727,107.75					
Miscellaneous investments.....	57,480.00	9,866.64			20,143.20	
Intangible assets.....					36,900.00	
Cash.....	748,532.99	116.40	2,573.00	21,167.19	3,022.78	2,131.94
Marketable securities.....	614.38			15,737.65		25,000.00
Loans and bills receivable.....	1.00		4,090.00	1,300.90	12,421.64	3,904.96
Traffic balances owed by other companies.....	45,279.02				2,360.16	
Net balance due from agents, purasers and stewards.....	175,156.13		269.00	3,964.57	27,468.31	487.75
Insurance claims against underwriters.....	322,623.83					
Miscellaneous accounts receivable.....	539,552.64	4,472.48	8,656.00	310.31		235.96
Material and supplies.....	169,160.60	653.10	124.00	2,543.10	2,439.39	
Other working assets.....	27,558.28					
Unmatured dividends and interest receivable.....	28,035.40					
Temporary advances.....	29,109.40					
Rents paid in advance.....	39,698.70			50.00	250.00	100.00
Insurance premiums paid in advance.....	266,365.13	660.43		1,265.71	661.15	75.00
Taxes paid in advance.....		75.00			225.13	
Unamortized debt discount and expense.....	462.83					
Special deposits.....	1,370.00			30.00		
Sinking fund assets.....	1,000.00					
Insurance and other reserve fund assets.....	271,531.10					
Open voyage expense.....	116,626.05					
Other deferred debit items.....	12,272,457.56	69.65		827.53	5,026.02	
Grand Total.....	\$ 26,614,373.46	\$ 25,065.34	\$ 46,545.00	\$ 61,981.95	\$ 250,814.41	\$ 38,592.85

*Indicates credit item.

STATISTICS OF BOAT LINE OPERATIONS — CALENDAR YEAR 1936
GENERAL BALANCE SHEET — ENTIRE COMPANY

LIABILITIES	A. G. W. Lines Inc.	Brown Motor Freight and Boat Lines Inc.	Kinsie Brothers Steamer Line	Pensacola, St. Andrews and Gulf Steamship Company	St. Johns River Line Company	Suwannee Steamship Company
Capital stock.....	\$ 7,600,000.00	\$ 17,978.28	\$ 20,071.00	\$ 25,000.00	\$ 8,738.00	\$ 1,000.00
Premium on capital stock.....					68,079.08	
Long-term debt.....	3,852,000.00	4,492.57			38,421.47	
Loans and bills payable.....		1,848.51	1,515.00		44,016.71	
Audited vouchers and wages unpaid.....	264,739.08	7,806.95			2,002.35	630.37
Traffic balances owed to other companies.....	136,093.97					
Miscellaneous accounts payable.....	144,183.43		8,520.00	3,320.24	6,045.35	
Matured dividends and interest unpaid.....	4,795.00					
Matured rents unpaid.....	1,083,235.73			50.00		
Matured long-term debt unpaid.....	261,000.00	122.00				
Working advances owed to other companies.....						22,077.03
Other working liabilities.....	41,724.44					
Unmatured dividends, interest and rents payable.....	3,413.33				908.49	
Taxes accrued.....	98,018.62	212.16	368.00		8,775.81	2,636.59
Deferred credit items.....	588,135.51				887.16	
Appropriated surplus.....	12,047,446.51		13,569.00			553.36
Profit and loss—credit balance.....	489,587.84	*7,395.13	2,502.00	33,611.71	72,939.99	11,695.50
Grand Total.....	\$ 26,614,373.46	\$ 25,065.34	\$ 46,545.00	\$ 61,981.95	\$ 250,814.41	\$ 38,592.85

*Indicates debit balance or deficit.

STATISTICS OF BOAT LINE COMPANIES — CALENDAR YEAR 1936
PROFIT AND LOSS BALANCES AND INCOME ACCOUNTS DETAILED

NAME OF ACCOUNT PROFIT AND LOSS ACCOUNT	A.G.W. Lines, Inc.	Brown Motor Freight and Boat Lines, Inc.	Kinzie Brothers Steamer Line	Pensacola St. Andrews and Gulf Steamship Company	St. Johns River Line Company	Suwannee Steamship Company
Credit balance at beginning of year.....	\$ 270,545.71		\$ 7,327.00	\$ 37,172.52	\$ 82,619.88	\$ 3,935.81
Credit balance transferred from income account.....	94,437.67		2,255.00		12,491.01	8,061.34
Real property and equipment credits.....	198,258.55	211.14				
Miscellaneous credits.....	11,562.61			547.00		
Debit balance carried to balance sheet.....		7,395.13				
Total.....	\$ 574,804.54	\$ 7,606.27	\$ 9,582.00	\$ 37,719.52	\$ 95,110.89	\$ 11,997.15
Debit balance at beginning of year.....		\$ 6,683.68				
Debit balance transferred from income account.....		428.99		\$ 2,857.81		
Dividend appropriations of surplus.....				1,250.00		
Miscellaneous appropriations of surplus.....	\$ 6,210.90					
Real property and equipment debits.....	78,939.92	493.60	\$ 7,080.00		\$ 1,343.47	\$ 301.65
Delayed income debits.....					296.58	
Miscellaneous debits.....	65.88				20,530.85	
Credit balance carried to balance sheet.....	489,587.84		2,502.00	33,611.71	72,939.99	11,695.50
Total.....	\$ 574,804.54	\$ 7,606.27	\$ 9,582.00	\$ 37,719.52	\$ 95,110.89	\$ 11,997.15

STATISTICS OF BOAT LINE COMPANIES — CALENDAR YEAR 1936 PROFIT AND LOSS BALANCES AND INCOME ACCOUNTS DETAILED

INCOME ACCOUNT—DETAILS	A.G.W. Lines, Inc.	Brown Motor Freight and Boat Lines, Inc.	Kinzie Brothers Steamer Line	Pensacola St. Andrews and Gulf Steamship Company	St. Johns River Line Company	Suwannee Steamship Company
Freight revenue.....	\$ 7,224,070.67	\$ 26,164.22	\$ 7,612.00	\$ 60,687.37	\$ 303,748.42	\$ 36,552.24
Passenger revenue.....	2,233,540.73		4,866.00	148.00		
Other transportation revenue.....	312,839.44		1,533.00			
Revenue from operations other than transportation.....	152,797.13		1,619.00	380.50	5,544.08	
Charter revenue.....	603,695.91	3,000.00				
Total water-line operating revenues.....	\$ 10,526,943.88	\$ 29,164.22	\$ 15,630.00	\$ 61,215.87	\$ 309,292.50	\$ 36,552.24
Maintenance of equipment.....	\$ 1,008,053.81	\$ 4,941.99	\$ 5,392.00	\$ 8,505.00	\$ 26,930.95	
Maintenance of terminals.....	236,809.66	253.81	396.00	129.94	8,165.85	\$ 1,064.28
Traffic expenses.....	688,454.91		508.00	125.84	11,974.31	65.00
Transportation expenses.....	6,083,392.28	14,714.81	7,599.00	46,965.35	189,107.91	5,677.35
General expenses.....	782,316.13	4,064.31	3,965.00	7,081.22	42,001.06	27,451.13
Charter expenses.....	812,473.23					8,000.00
Total water-line operating expenses.....	\$ 9,611,500.02	\$ 23,974.92	\$ 17,860.00	\$ 62,807.35	\$ 278,180.08	\$ 42,257.76
Net revenue from water-line operation*.....	\$ 915,443.86	\$ 5,189.30	\$ 2,230.00*	\$ 1,591.48*	\$ 31,112.42	\$ 5,705.52*
Auxiliary operations—revenue.....			\$ 10,219.00			\$ 41,200.63
Auxiliary operations—expense.....			5,330.00			24,911.22
Net revenue from auxiliary operations.....			\$ 4,889.00			\$ 16,289.41
Net water-line operating revenue.....	\$ 915,443.86	\$ 5,189.30	\$ 2,659.00	\$ 1,591.48*	\$ 31,112.42	\$ 10,583.89
Water-line tax accruals.....	180,645.67	872.15	202.00	2,012.09	10,131.17	3,358.58
Water-line operating income.....	\$ 734,798.19	\$ 4,317.15	\$ 2,457.00	\$ 3,603.57*	\$ 20,981.25	\$ 7,225.31
Total other income.....	75,222.76			745.76	15,517.08	4,636.03
Gross income.....	\$ 810,020.95	\$ 4,317.15	\$ 2,457.00	\$ 2,857.81*	\$ 36,498.33	\$ 11,861.34
Deductions from gross income.....	616,518.79	4,746.14	202.00		24,007.32	3,800.00
Net income.....	\$ 193,502.16	\$ 428.99*	\$ 2,255.00	\$ 2,857.81*	\$ 12,491.01	\$ 8,061.34
Appropriations of income.....	99,064.49					
Net income transferred to profit and loss.....	\$ 94,437.67	\$ 428.99*	\$ 2,255.00	\$ 2,857.81*	\$ 12,491.01	\$ 8,061.34

*Indicates debit item or deficit.

STATISTICS OF BOAT LINE COMPANIES — CALENDAR YEAR 1936
WATER TRANSPORTATION COMPANIES OPERATED WITHIN THE STATE OF FLORIDA

NAME OF COMPANY	BUSINESS ADDRESS	TERRITORY IN GENERAL
Agwlines, Inc.....	Pier 34 North River, New York, N.Y.	Operates ocean going steamers out of Boston, New York, Charleston, Jacksonville, Key West, Miami, Tampa, New Orleans and Galveston.
Brown Motor Freight & Boat Lines, Inc.....	Foot of Newnan Street, Jacksonville, Florida.	Operates Jacksonville to Daytona, Cocoa, Melbourne, Vero Beach, Florida.
Kinzie Brothers Steamer Line.....	46 City Dock, Ft. Myers, Florida.	Operates Ft. Meyers to Sanibel, Sanibel Island, Pine Island, Captiva and Punta Rassa, Florida.
Pensacola, St. Andrews & Gulf Steamship Company....	Jefferson Street Wharf, Pensacola, Florida.	Operates steamer between Pensacola, Panama City, Carrabelle, and Apalachicola, Florida and Mobile, Alabama.
St. Johns River Line Company.....	Ft. Ocean Street, Jacksonville, Florida.	Operates between Jacksonville and Sanford, Florida, on St. Johns River daily except Sunday; triweekly between Jacksonville and Brunswick, Georgia, and occasional trips between Jacksonville and Daytona and Miami, Florida.
Suwannee Steamship Company.....	c-o Winn & Lovett Grocery, Jacksonville, Florida.	Operates between Jacksonville and Sanford, Florida, on St. Johns River.

STATISTICS OF TELEGRAPH-CABLE COMPANIES CALENDAR YEAR 1936

GENERAL BALANCE SHEET — ENTIRE COMPANY

ASSETS	Western Union Telegraph Company	Postal Telegraph-Cable Company
Investment in plant and equipment.....	\$329,614,338.77	\$ 50,000.00
Construction work in progress.....	5,228,855.58	
Investment securities.....	12,863,016.24	
Long-term advances receivable.....	1,180,000.00	
Miscellaneous investments.....	110,648.99	
Working assets and accrued income.....	26,744,404.69	541,080.68
Deferred debit items.....	1,403,407.32	
Grand Total.....	\$377,144,671.59	\$ 591,080.68
LIABILITIES		
Capital stock.....	\$104,527,779.16	\$ 50,000.00
Capital stock of subsidiary companies.....	1,754,000.00	
Premiums on capital stock.....	1,163,350.00	
Funded debt.....	94,120,000.00	
Working and accrued liabilities.....	12,561,132.81	2,416,702.72
Deferred credit items.....	50,154,775.38	
Appropriated surplus.....	9,274,407.40	
Profit and loss.....	103,589,226.84	*1,875,622.04
Grand Total.....	\$377,144,671.59	\$ 591,080.68

*Indicates debit item or deficit.

STATISTICS OF TELEGRAPH-CABLE COMPANIES CALENDAR YEAR 1936

PROFIT AND LOSS ACCOUNT — ENTIRE COMPANY

ITEMS	Western Union Telegraph Company	Postal Telegraph-Cable Company
Credit balance at beginning of year.....	\$ 97,305,467.80	
Credit balance transferred from income.....	7,199,120.30	
Miscellaneous credits.....	19,892.25	
Debit balance transferred to balance sheet.....		\$ 1,875,622.04
Total.....	\$104,524,480.35	\$ 1,875,622.04
Debit balance at beginning of year.....		\$ 1,637,671.06
Debit balance transferred from income.....		237,950.98
Dividend appropriations of surplus.....	\$ 783,775.50	
Miscellaneous debits.....	151,478.01	
Credit balance transferred to balance sheet.....	103,589,226.84	
Total.....	\$104,524,480.35	\$ 1,875,622.04

STATISTICS OF TELEGRAPH-CABLE COMPANIES
CALENDAR YEAR 1936

INCOME ACCOUNT — ENTIRE COMPANY

I T E M S	Western Union Telegraph Company	Postal Telegraph-Cable Company
Telegraph and cable operating revenues.....	\$ 98,420,219.71	\$ 2,980,815.47
Telegraph and cable operating expenses.....	80,229,274.54	2,717,347.20
Net telegraph and cable operating revenues.....	\$ 18,190,945.17	\$ 263,468.27
Uncollectible operating revenues.....	\$ 586,645.00	6,446.25
Taxes assignable to operations.....	4,143,609.97	134,854.39
Deductions from net operating revenues.....	\$ 4,730,254.97	\$ 141,300.64
Operating income.....	\$ 13,460,690.20	\$ 122,167.63
Nonoperating income.....	1,616,383.57
Gross income.....	\$ 15,077,073.77	\$ 122,167.63
Deductions from gross income.....	7,877,953.47	360,118.61
Net income transferred to profit and loss.....	\$ 7,199,120.30	\$ *237,950.98

*Indicates debit item or deficit.

STATISTICS OF TELEGRAPH-CABLE COMPANIES — CALENDAR YEAR 1936
OPERATING REVENUE AND EXPENSES, ENTIRE COMPANY AND STATE OF FLORIDA

I T E M S	POSTAL TELEGRAPH-CABLE COMPANY			
	Entire Company	STATE OF FLORIDA		
		Intrastate	Interstate	Total
OPERATING REVENUES				
Revenues from transmission—telegraph.....	\$ 2,812,853.26	\$ 166,282.01	\$ 435,254.00	\$ 601,536.01
Operations other than transmission.....	167,962.21	22,217.49	10,070.18	32,287.67
Total operating revenues.....	\$ 2,980,815.47	\$ 188,499.50	\$ 445,324.18	\$ 633,823.68
OPERATING EXPENSES				
Maintenance expenses.....	\$ 523,375.25			\$ 111,546.20
Conducting operations.....	2,037,199.65			434,847.03
General and miscellaneous expenses.....	156,772.30			33,769.27
Total operating expenses.....	\$ 2,717,347.20			\$ 580,162.50
Ratio of operating expenses to revenue, per cent.....	91.16			91.53

NOTE: Interstate revenues represents the receipts and / or collections on interstate messages in the State of Florida, as reported by the telegraph-cable companies. The revenue from interstate messages, etc is not apportioned but is assigned to the State in which paid or collected.

STATISTICS OF TELEGRAPH-CABLE COMPANIES — CALENDAR YEAR 1936
OPERATING REVENUES AND EXPENSES, ENTIRE COMPANY AND STATE OF FLORIDA

ITEMS	WESTERN UNION TELEGRAPH COMPANY			
	Entire Company	STATE OF FLORIDA		
		Intrastate	Interstate	Total
OPERATING REVENUES				
Revenues from transmission—telegraph.....	\$ 85,219,935.69	\$ 637,078.15	\$ 1,768,250.22	\$ 2,405,328.37
Revenues from transmission—cable.....	6,507,870.83			
Operations other than transmission.....	8,245,446.05	79,825.57	71,261.56	151,087.13
Contract payments to transportation companies.....	1,553,032.86	1,214.42	2,103.85	3,318.27
Total operating revenues.....	\$ 98,420,219.71	\$ 715,689.30	\$ 1,837,407.93	\$ 2,553,097.23
OPERATING EXPENSES				
Maintenance expenses.....	\$ 17,301,847.34			\$ 511,503.08
Conducting operations.....	58,650,201.66			1,526,801.88
General and miscellaneous expenses.....	4,277,225.54			111,227.29
Total operating expenses.....	\$ 80,229,274.54			\$ 2,149,532.25
Ratio of operating expenses to revenue, per cent.....	81.52			84.20

STATISTICS OF TELEPHONE COMPANIES — CALENDAR YEAR 1936

NAME OF COMPANY, BUSINESS ADDRESS, EXCHANGES AND SUBSCRIBER'S STATIONS IN OPERATION—
ALL COMPANIES

NAME OF COMPANY	BUSINESS ADDRESS	EXCHANGES	Exchange	Rural	Extension	Farmer	P.B.X. and Intercon.	Total
Callahan Telephone Co.....	Callahan, Fla.....	Callahan	31	12	4	-----	-----	47
		Hilliard	4	11	6	-----	-----	21
Clewiston Telephone Co.....	Clewiston, Fla.....	Clewiston	82	14	9	-----	-----	105
Cottrondale Telephone Co.....	Cottrondale, Fla.....	Cottrondale	28	-----	-----	-----	-----	28
Florida Telephone Corp.....	Leesburg, Fla.....	Alachua	41	7	5	9	-----	62
		Apopka	76	41	16	-----	-----	133
		Bushnell	23	11	1	-----	-----	35
		Clermont	82	13	4	-----	-----	99
		Crescent City	99	14	11	-----	-----	124
		Crystal River	20	10	1	-----	-----	31
		Dade City	127	58	15	-----	-----	200
		Eustis	243	29	34	-----	-----	306
		Groveland	35	2	5	-----	-----	42
		Hastings	35	55	12	-----	-----	102
		High Springs	64	3	1	-----	-----	68
		Inverness	64	-----	4	-----	-----	68
		Jasper	63	-----	2	-----	-----	65
		Kissimmee	190	6	24	-----	-----	220
		Lake Butler	17	2	-----	14	-----	33
		Leesburg	427	101	77	-----	9	614
		Live Oak	274	3	13	-----	-----	290
		Mayo	15	-----	-----	-----	-----	15
		Mount Dora	164	32	18	-----	-----	214
		Ocala	944	120	164	12	206	1,446
		St. Cloud	37	3	2	-----	-----	42
		Tavares	108	11	21	-----	10	150
		Umatilla	59	10	4	-----	-----	73
		White Springs	15	-----	-----	-----	-----	15
		Wildwood	24	17	1	5	-----	47
		Williston	53	2	2	6	-----	63
		Winter Garden	146	86	19	-----	-----	251

STATISTICS OF TELEPHONE COMPANIES — CALENDAR YEAR 1936

NAME OF COMPANY, BUSINESS ADDRESS, EXCHANGES AND SUBSCRIBER'S STATIONS IN OPERATION — ALL COMPANIES

NAME OF COMPANY	BUSINESS ADDRESS	EXCHANGES	Exchange	Rural	Extension	Farmer	P.B.X. and Intercon.	Total
Gulf Telephone Company.....	Perry, Fla.....	Perry	234	28	20	11	60	353
Hampton Telephone Co.....	Hampton, Fla.....	Hampton	1	14	—	—	—	15
Inter-County Telephone Co.....	Ft. Myers, Fla.....	Arcadia	290	28	42	—	108	468
		Avon Park	172	34	30	—	199	435
		Bowling Green	14	2	1	—	—	17
		Boca Grande	53	—	18	—	402	473
		Everglades	40	5	9	—	—	54
		Fort Meade	103	7	6	3	—	119
		Fort Myers	759	—	131	—	463	1,353
		LaBelle	30	2	—	—	—	32
		Lake Placid	33	—	8	—	30	71
		Moore Haven	33	3	1	—	—	37
		Naples	45	—	5	—	—	50
		Okeechobee	101	4	2	—	60	167
		Punta Gorda	172	—	16	—	246	434
		Sebring	210	—	32	3	514	759
		Wauchula	186	—	19	—	—	205
Macclenny Telephone Co.....	Macclenny, Fla.....	Macclenny	45	—	—	—	—	45
McIntosh Telephone Co.....	McIntosh, Fla.....	McIntosh	38	33	—	—	—	71
Malone Telephone Co.....	Malone, Fla.....	Malone	3	12	—	—	—	15
Milton Telephone Co.....	Milton, Fla.....	Milton	121	41	14	12	—	188
Molino Telephone Co.....	Molino, Fla.....	Molino	10	4	—	—	—	14
Orange City Telephone Co.....	Orange City, Fla.....	Orange City	40	—	1	—	—	41
Peninsular Telephone Co.....	Tampa, Fla.....	Auburndale	98	4	22	—	—	124
		Bartow	569	77	153	—	20	819
		Bradenton	1,230	403	257	—	439	2,329
		Clearwater	905	689	533	—	1,104	3,231
		Frost Proof	124	56	20	—	12	212
		Haines City	258	112	71	—	10	451
		Lakeland	2,257	141	353	—	477	3,228
		Lake Wales	459	229	170	—	187	1,045
		Largo	58	105	21	—	—	184
		Mulberry	94	17	12	—	—	123

STATISTICS OF TELEPHONE COMPANIES — CALENDAR YEAR 1936

NAME OF COMPANY, BUSINESS ADDRESS, EXCHANGES AND SUBSCRIBER'S STATIONS IN OPERATION — ALL COMPANIES

NAME OF COMPANY	BUSINESS ADDRESS	EXCHANGES	Exchange	Rural	Extension	Farmer	P. B. X. and Intercon.	Total
		New Point Richey	78	-----	9	-----	-----	87
		Plant City	484	169	111	-----	93	857
		St. Petersburg	6,351	-----	975	-----	3,891	11,217
		Sarasota	1,015	623	321	-----	469	2,428
		Tampa	12,961	1,126	2,618	-----	2,904	19,609
		Tarpon Springs	278	48	42	-----	18	386
		Venice	111	10	12	-----	30	163
		Winter Haven	760	238	238	-----	123	1,359
Quincy Telephone Company.....	Quincy, Fla.....	Quincy	488	107	78	-----	14	687
Riverside Telephone Co.....	Blountstown, Fla.....	Blountstown	72	7	4	-----	-----	83
		Weavahitcha	6	-----	-----	-----	-----	6
St. Joseph Tel. & Tel. Co.....	Port St. Joe, Fla.....	Apalachicola	37	3	5	-----	-----	45
		Port St. Joe	11	-----	-----	-----	-----	11
		River Junction	80	-----	2	-----	-----	82
Seymour Telephone Co.....	Sneeds, Fla.....	Sneeds	27	-----	-----	-----	-----	27
Southwestern Telephone Co.....	Savanna, Ill.....	Bonifay	72	-----	1	-----	-----	73
		Crestview	45	-----	2	-----	-----	47
		DeFuniak Springs	229	8	16	12	-----	265
		Greenville	15	5	-----	-----	-----	20
		Madison	179	10	26	21	-----	123
		Monticello	160	19	4	-----	-----	183
		Ponce de Leon	13	1	-----	2	-----	16
		Tallahassee	2,068	95	331	-----	327	2,821
		Valpariso	19	5	-----	-----	-----	24
Southwestern Bell Tel. & Tel. Co.....	Atlanta, Ga.....	Baldwin	14	-----	2	-----	-----	16
		Belle Glade	87	-----	15	-----	-----	102
		Boynton	35	-----	10	-----	-----	45
		Brooksville	234	-----	19	-----	48	301
		Bunnell	43	-----	3	-----	-----	46
		Cedar Key	17	-----	2	-----	-----	19
		Chipley	161	-----	8	-----	-----	169
		Cocoa	289	-----	36	-----	187	512
		Cross City	48	-----	8	3	-----	59

STATISTICS OF TELEPHONE COMPANIES — CALENDAR YEAR 1936
NAME OF COMPANY, BUSINESS ADDRESS, EXCHANGES AND SUBSCRIBER'S STATIONS IN OPERATION —
ALL COMPANIES

NAME OF COMPANY	BUSINESS ADDRESS	EXCHANGES	Exchange	Rural	Extension	Farmer	P.B.X. and Intercon.	Total
		Daytona Beach	2,329	-----	420	4	1,504	4,257
		DeLand	714	-----	131	-----	316	1,161
		Delray Beach	178	-----	30	-----	641	849
		Dunnellon	71	-----	3	-----	-----	74
		Eau Gallie	29	-----	3	-----	68	100
		Fernandina	159	-----	16	-----	-----	175
		Ft. Lauderdale	919	-----	162	-----	442	1,523
		Ft. Pierce	555	1	97	-----	184	837
		Gainesville	1,547	-----	214	2	406	2,169
		Geneva	29	-----	3	-----	-----	32
		Graceville	63	-----	3	-----	-----	66
		Green Cove Springs	74	6	10	-----	-----	90
		Havana	75	-----	2	-----	-----	77
		Hawthorne	24	-----	3	-----	-----	27
		Hobe Sound	48	-----	22	-----	90	160
		Hollywood	371	-----	62	-----	587	1,020
		Homestead	153	61	28	-----	-----	242
		Jacksonville	16,519	1	3,228	8	4,727	24,483
		Jacksonville Beach	188	-----	11	-----	75	274
		Jensen	23	-----	1	-----	-----	24
		Kelsey City	36	-----	4	-----	15	55
		Key West	572	-----	78	-----	243	893
		Lake City	408	-----	34	12	157	611
		Lake Worth	248	2	27	-----	173	450
		Lynn Haven	59	-----	2	-----	-----	61
		Melbourne	114	-----	8	6	118	246
		Miami	19,099	-----	4,924	-----	18,644	42,667
		Micanopy	26	-----	1	-----	-----	27
		New Smyrna	243	-----	43	4	53	343
		Orange Park	27	-----	5	-----	-----	32
		Orlando	4,173	-----	930	29	1,511	6,643
		Oviedo	44	5	2	-----	-----	51
		Pahokee	148	-----	25	-----	-----	173

STATISTICS OF TELEPHONE COMPANIES — CALENDAR YEAR 1936

NAME OF COMPANY, BUSINESS ADDRESS, EXCHANGES AND SUBSCRIBER'S STATIONS IN OPERATION —
ALL COMPANIES

NAME OF COMPANY	BUSINESS ADDRESS	EXCHANGES	Exchange	Rural	Extension	Farmer	P.B.X. and Intercon.	Total
		Palarka	530	15	86	5	109	745
		Panama City	698	-----	91	-----	172	961
		Pensacola	3,225	-----	477	5	487	4,194
		Pompano	71	-----	5	-----	-----	76
		St Augustine	1,480	-----	214	12	687	2,393
		Sanford	1,053	-----	155	3	116	1,327
		Stuart	129	1	28	-----	79	237
		Titusville	116	-----	9	-----	-----	125
		Vero Beach	235	-----	20	-----	106	361
		West Palm Beach	3,819	-----	1,509	-----	3,507	8,835
Starke Telephone Co.....	Starke, Fla.....	Starke	96	-----	4	6	-----	106
West Florida Tel. & Tel. Co.....	Marianna, Fla.....	Marianna	295	29	-----	-----	79	403
West Putnam Telephone Co.....	Interlachen, Fla.....	Interlachen	6	30	-----	-----	-----	36
Winter Park Telephone Co.....	Winter Park, Fla.....	Winter Park	702	7	174	-----	163	1,046
Total.....	-----	-----	100,582	5,355	20,644	209	48,119	174,909

STATISTICS OF TELEPHONE COMPANIES — CALENDAR YEAR 1936
GENERAL BALANCE SHEET — CLASS "A," "B," AND "C" — ENTIRE COMPANY

NAME OF COMPANY	ASSETS							
	Telephone Plant	Investments In Affiliated Companies	Other Investments	Miscellaneous Physical Property	Sinking Funds	Current Assets	Deferred Debits	Total
Florida Telephone Corporation.....	\$ 994,137.19	-----	\$ 360,000.00	-----	-----	\$ 76,114.25	\$ 73,446.53	\$ 1,503,697.97
Gulf Telephone Company.....	39,427.35	-----	-----	-----	-----	1,175.44	-----	40,602.79
Inter County Telephone & Telegraph Company	1,939,336.15	-----	-----	-----	-----	46,417.96	2,440.55	1,988,394.66
Milton Telephone Exchange.....	36,834.83	-----	1,000.00	-----	-----	12,747.02	-----	50,581.85
Peninsular Telephone Company.....	11,363,085.78	-----	9,056.00	\$ 199,595.77	-----	1,209,705.80	404,425.97	13,085,869.32
Quincy Telephone Company, Inc.....	96,656.60	-----	250.00	-----	-----	23,019.40	-----	119,926.00
St. Joseph Telephone & Telegraph Company..	74,808.73	-----	-----	-----	-----	33,142.33	418.65	108,369.71
Southeastern Telephone Company.....	598,027.05	-----	-----	-----	-----	44,381.41	2,667.37	645,075.83
Southern Bell Telephone & Telegraph Company	240,204,694.26	\$ 752,538.47	1,523,047.40	1,242,766.79	\$ 14,530,000.00	13,430,031.74	1,230,207.64	272,913,286.30
West Florida Telephone & Telegraph Company	50,299.47	-----	-----	-----	-----	1,484.71	-----	51,784.18
Winter Park Telephone Company.....	203,002.93	13,500.00	-----	-----	-----	12,726.71	1,916.21	231,145.85
Total.....	\$ 255,600,510.34	\$ 766,038.47	\$ 1,893,353.40	\$ 1,442,362.56	\$14,530,000.00	\$14,790,946.77	\$ 1,715,522.92	\$ 290,738,734.46

STATISTICS OF TELEPHONE COMPANIES — CALENDAR YEAR 1936
GENERAL BALANCE SHEET — CLASS "A," "B," AND "C" — ENTIRE COMPANY

NAME OF COMPANY	LIABILITIES								
	Stock	Long-term Debt	Current Liabilities	Accrued Liabilities Not Due	Deferred Credits and Reserves	Donations	Surplus Reserved	Unappropriated Surplus	Total
Florida Telephone Corporation.....	\$ 521,050.00	\$ 762,450.00	\$ 29,576.65	\$ 46,038.58	\$ 114,754.94	-----	-----	\$ 29,827.80	\$ 1,503,697.97
Gulf Telephone Company.....	10,000.00	-----	8,879.95	-----	19,327.00	-----	-----	2,395.84	40,602.79
Inter County Telephone & Tele- graph Company.....	450,000.00	1,187,863.99	50,981.27	32,242.33	331,162.58	-----	-----	*63,855.51	1,988,394.66
Milton Telephone Exchange.....	13,682.00	-----	655.17	729.97	18,046.74	-----	-----	17,467.97	50,581.85
Peninsular Telephone Company.....	5,193,262.27	3,950,000.00	124,513.17	154,935.71	3,241,355.38	\$ 30,528.22	\$ 176,851.61	214,422.96	13,085,869.32
Quincy Telephone Company, Inc.....	55,500.00	10,000.00	9,059.39	100.42	33,152.73	-----	-----	12,113.46	119,926.00
St. Joseph Telephone & Telegraph Company.....	50,000.00	-----	1,413.96	371.84	38,591.09	-----	-----	17,992.82	108,369.71
Southeastern Telephone Company.....	200,000.00	188,000.00	39,589.21	11,045.47	154,399.43	4,495.81	-----	47,545.91	645,075.83
Southern Bell Telephone & Tele- graph Company.....	124,999,000.00	72,976,500.00	5,424,164.13	5,291,813.43	58,598,440.59	-----	32,744.00	5,590,624.15	272,913,286.30
West Florida Telephone & Tele- graph Company.....	20,000.00	-----	-----	389.30	25,203.21	-----	-----	6,191.67	51,784.18
Winter Park Telephone Company.....	42,300.00	117,700.00	15,464.65	3,105.00	45,427.49	637.39	-----	6,511.32	231,145.85
Total.....	\$131,554,794.27	\$79,192,513.99	\$ 5,704,297.55	\$ 5,540,772.05	\$62,619,861.18	\$ 35,661.42	\$ 209,595.61	\$ 5,881,238.39	\$ 290,738,734.46

Asterisk indicates debit item or deficit.

STATISTICS OF TELEPHONE COMPANIES — CALENDAR YEAR 1936
INCOME STATEMENT — CLASS "A," "B," AND "C" COMPANIES

NAME OF COMPANY	Telephone Operating Revenues	Telephone Operating Expenses	Net Telephone Operating Revenues	Operating Taxes	Net Operating Income	Other Income	Miscellaneous Deductions from Income
Florida Telephone Corporation.....	\$ 250,995.20	\$ 162,908.71	\$ 88,086.49	\$ 28,815.28	\$ 59,271.21	\$ 14,400.00	-----
Gulf Telephone Company.....	10,420.81	9,829.36	591.45	597.20	*5.75	-----	-----
Inter County Telephone & Telegraph Company.....	186,122.81	125,059.96	61,063.85	13,038.77	48,025.08	-----	-----
Milton Telephone Exchange.....	10,992.59	9,156.51	1,836.08	1,294.36	541.72	-----	-----
Peninsular Telephone Company.....	2,060,698.16	1,173,491.92	887,206.24	200,658.55	686,547.69	4,321.50	3,034.44
Quincy Telephone Company, Inc.....	25,916.31	22,804.27	3,112.04	2,353.49	758.55	-----	-----
St. Joseph Telephone & Telegraph Company.....	16,276.54	14,750.72	1,525.82	1,226.44	299.38	-----	332.04
Southeastern Telephone Company.....	156,545.59	97,188.87	59,356.72	14,310.72	45,046.00	1,931.73	-----
Southern Bell Telephone & Telegraph Company.....	57,290,776.50	37,486,838.49	19,803,938.01	7,326,083.34	12,477,854.67	304,766.82	20,432.40
West Florida Telephone & Telegraph Company.....	18,355.10	13,656.14	4,698.96	1,286.17	3,412.79	-----	-----
Winter Park Telephone Company.....	38,679.51	24,830.01	13,849.50	2,771.63	11,077.87	-----	-----
Total.....	\$60,065,779.12	\$39,140,513.96	\$20,925,265.16	\$ 7,592,435.95	\$13,332,829.21	\$ 325,420.05	\$ 23,798.88

STATISTICS OF TELEPHONE COMPANIES — CALENDAR YEAR 1936
INCOME STATEMENT — CLASS "A," "B," AND "C" COMPANIES

NAME OF COMPANY	Income Available for Fixed Charges	Fixed Charges	Income After Fixed Charges	Dividend Appropriations	Income Balance
Florida Telephone Corporation.....	\$ 73,671.21	\$ 58,225.66	\$ 15,445.55	-----	\$ 15,445.55
Gulf Telephone Company.....	*5.75	381.05	*386.80	-----	*386.80
Inter County Telephone & Telegraph Company.....	48,025.08	52,930.26	*4,905.18	-----	*4,905.18
Milton Telephone Exchange.....	541.72	-----	541.72	-----	541.72
Peninsular Telephone Company.....	687,834.75	179,275.45	508,559.30	\$ 180,687.53	327,871.77
Quincy Telephone Company, Inc.....	758.55	1,127.51	*368.96	-----	*368.96
St. Joseph Telephone & Telegraph Company.....	*32.66	-----	*32.66	-----	*32.66
Southeastern Telephone Company.....	46,977.73	11,490.00	35,487.73	-----	35,487.73
Southern Bell Telephone & Telegraph Company.....	12,762,189.09	3,362,172.46	9,400,016.63	9,062,427.50	337,589.13
West Florida Telephone & Telegraph Company.....	3,412.79	-----	3,412.79	3,000.00	412.79
Winter Park Telephone Company.....	11,077.87	7,687.36	3,390.51	-----	3,390.51
Total.....	\$13,634,450.38	\$ 3,673,289.75	\$ 9,961,160.63	\$ 9,246,115.03	\$ 715,045.60

Asterisk indicates debit item or deficit.

STATISTICS OF TELEPHONE COMPANIES — CALENDAR YEAR 1936
INCOME ACCOUNT — CLASS "C" COMPANIES

NAME OF COMPANY	Total Operating Revenue	Operating Expenses	Taxes	Miscellaneous Income	Interest and Miscellaneous Deductions	Net Income
Callahan Telephone Company(1).....	\$ 345.00	\$ 507.50	\$ 12.50	-----	\$ 53.20	\$ 228.20*
Clewiston Telephone Company.....	4,656.20	6,591.67	202.42	\$ 480.00	978.68	2,636.57*
Cottondale Telephone Company.....	1,307.65	1,346.94	85.50	-----	-----	124.79*
Hampton Telephone Company.....	574.40	645.70	10.00	-----	9.00	90.30*
Macclenny Telephone Company.....	1,221.91	1,064.42	95.72	-----	-----	61.77
McIntosh Telephone Company.....	2,402.03	4,321.79	171.40	-----	375.08	2,466.24*
Malone Telephone Company.....	204.20	204.20	6.75	-----	-----	6.75*
Molino Telephone Company.....	507.67	408.86	28.81	-----	-----	70.00
Orange City Telephone Company.....	1,478.99	1,787.20	83.45	-----	18.06	409.72*
Riverside Telephone Company.....	5,694.26	7,350.69	201.46	-----	880.00	2,737.89*
Seymour Telephone Company.....	877.73	894.83	13.15	-----	-----	30.25*
Starke Telephone Company.....	4,595.39	4,469.27	288.99	-----	520.00	682.87*
West Putnam Telephone Company.....	1,306.19	1,262.71	22.70	-----	-----	20.78
Total.....	\$ 25,171.62	\$ 30,855.78	\$ 1,222.85	\$ 480.00	\$ 2,834.02	\$ 9,261.03

*Indicates deficit.

(1) Operated September 23rd to December 31, 1936, only.

STATISTICS OF AUTO TRANSPORTATION COMPANIES
COMPANY OR INDIVIDUAL OPERATING LESS THAN THE
FULL CALENDAR YEAR 1936 |

NAME OF COMPANY OR INDIVIDUAL	FROM	TO
BUS OPERATIONS		
Bainbridge-Columbus Motor Lines.....	January 1,	March 31,
Florida Motor Lines, Inc.....	January 1,	August 31,
Florida Motor Lines Corporation.....	September 1,	December 31,
TRUCK OPERATIONS		
Griffis Truck Line.....	January 1,	June 30,

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
GENERAL BALANCE SHEET — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	ASSETS							
	Plant and Equipment	Investments	Reacquired Securities	Special Deposits	Current Assets	Prepayments	Deferred Charges	Grand Total
TRUCK OPERATIONS — COMMON CARRIER								
Acme Freight Lines, Inc.....	\$ 48,832.05			\$ 1,065.01	\$ 24,576.61	\$ 12,217.36	\$ 518.00	\$ 87,209.03
Akins, W. L. Transportation Company, Inc.....	4,292.80				5,856.34	75.00		10,224.14
Bee Line Transfer Company.....	12,662.37				2,766.12	571.19		15,999.68
Brown Motor Freight & Boat Lines, Inc.....	9,866.64	\$ 26,231.83			5,241.98	805.08		42,145.53
C. & H. Transfer Company.....	18,678.80				119.95	75.00		18,873.75
Central Truck Lines, Inc.....	147,254.13				35,170.25	657.49		183,081.87
Chastain Transfer Line.....	858.00					71.53		929.53
Elliott-Young Consolidated, Inc.....	29,485.63		\$ 7,500.00	80.00	4,179.81	2,061.50		43,306.94
Five Transportation Company.....	60,733.97				13,755.44	1,688.26		76,177.67
Fogarty Brothers Transfer, Inc.....	31,960.30	4,488.49			5,979.23	1,252.54		43,680.56
Great Southern Trucking Company.....	123,300.96			270.00	28,356.98	16,808.26		168,736.20
Green Brothers Transfer Company.....	5,789.46				771.86	120.62		6,681.94
Griffis Truck Line.....	1,395.75				267.15	78.12		1,741.02
Highway Transportation Company.....	1,183.87				125.44	110.00		1,419.31
Hunt Truck Line.....	15,011.45				3,337.90	1,519.80		19,869.15
Independent Transfer Company.....	7,633.50				1,773.22	100.00		9,506.72
K. & L. Transportation Company, Inc.....	69,283.08	1,800.00		2,100.00	14,526.35	2,212.95		89,922.38
L. & L. Freight Lines, Inc.....	82,339.90				36,588.22	4,166.40		123,094.52
Marshall Transfer Company.....	4,258.00				537.62	234.26		5,029.88
Mathews Truck Line.....	3,611.50				1,000.00	608.67		5,220.17
Over Seas Transportation Company, Inc.....	10,059.41				3,600.18			13,659.59
Peters Truck Line.....	807.50				3,894.12	110.00		4,811.62
Pittman Truck Line.....	4,968.41			150.00	519.23	136.50		5,774.14
St. Johns River Line Company.....	57,043.20	204,541.24			47,712.28	1,136.28	5,026.02	315,459.02
Star Truck Lines, Inc.....	35,589.88				2,005.10	1,276.78		38,871.76
Tarpon Truck Line.....	1,478.00	4,500.00			4,953.68	155.67		11,087.35
Union Express Freight Company.....	13,774.64			75.00	422.73	287.44		14,559.81
Walters Truck Line.....	1,652.09					45.00		1,697.09
Total Truck Operations—Common Carrier.....	\$ 803,805.29	\$ 241,561.56	\$ 7,500.00	\$ 3,740.01	\$ 248,037.79	\$ 48,581.70	\$ 5,544.02	\$1,358,770.37

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
GENERAL BALANCE SHEET — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	ASSETS						
	Plant and Equipment	Investments	Special Deposits	Current Assets	Prepayments	Deferred Charges	Grand Total
BUS OPERATIONS							
Ader Coach Lines.....	\$ 104,283.93						\$ 104,283.93
Atlantic Greyhound Lines.....	4,034,669.78	\$ 210,272.22	\$ 2,115.00	\$ 627,513.30	\$ 107,032.79		4,981,603.09
Bainbridge-Columbus Motor Lines.....	2,200.00	1,000.00		4,675.00			7,875.00
Coleman Motor Lines.....	50,983.50			2,646.83	719.23		54,349.56
East Coast Stages, Inc.....	588,675.99		535.00	77,970.06	946.85		66,8127.9
Florida Motor Lines, Inc.....	1,748,834.99	62,085.04	445.00	68,285.91	26,306.36	\$ 534.10	1,906,491.40
Florida Motor Lines Corporation.....	1,621,166.53	57,747.16	435.00	154,309.75	20,229.69	14,574.20	186,846.33
Georgia Stages, Inc.....	90,000.00		25.00	11,703.36	1,642.95	9.21	103,338.52
Glades "K" Motor Lines.....	4,866.75		463.00	305.06	294.30		5,929.11
Gulf Coast Motor Lines, Inc.....	4,000.00			3,694.30	75.00		7,769.30
Gulf Crescent Motor Lines, Inc.....				8,387.59	1,084.48		9,472.07
Lee Coach Line.....	20,515.37				1,530.03		22,045.40
Monroeville Bus Company, Inc.....	9,535.08			2,333.04			11,868.12
Pass-a-guille Beach Bus Line.....	4,196.65			606.41	75.00		4,878.06
Rook's Coach Line.....	515.86				172.39	70.00	758.25
Seminole Coach Line.....	3,858.60			727.81	466.26		5,052.67
Southeastern Greyhound Lines, Inc.....	402,954.27	53,602.84	75.00	201,903.70	300.40	4,359.04	663,195.25
Southern Tours, Inc.....	24,929.24		85.00	1,878.80	1,598.82		28,491.86
Tallahassee-Monticello Bus Line.....	819.96				19.35		839.31
Union Bus Company.....	553,616.51	41,522.65	275.00	325,935.10	1,060.32	10,967.72	933,377.30
Total Bus Operations—Common Carrier.....	\$ 9,270,623.01	\$ 426,229.91	\$ 4,453.00	\$ 1,492,876.02	\$ 163,354.22	\$ 30,514.27	\$ 11,388,250.43

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
GENERAL BALANCE SHEET — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	LIABILITIES								
	Corporate Capital Liabilities	Non-corporate Proprietor- ship	Funded Debt	Current Liabilities	Accrued Liabilities	Deferred Credits	Reserve Accounts	Corporate Surplus	Grand Total
TRUCK OPERATIONS — COMMON CARRIER									
Acme Freight Lines, Inc.	\$ 15,325.00	\$-----	\$ 1,715.02	\$ 45,604.26	\$ 2,093.40	\$ 1,000.00	\$ 20,991.94	479.41	\$ 87,209.03
Akins, W. L., Transportation Co., Inc.	5,000.00	-----	-----	416.82	-----	-----	5,460.64	*653.32	10,224.14
Bee Line Transfer Company	-----	\$ 5,388.75	-----	2,651.61	142.12	-----	7,817.20	-----	15,999.68
Brown Motor Freight & Boat Lines, Inc.	17,978.28	-----	4,492.57	9,777.46	212.16	-----	17,080.19	*7,395.13	42,145.53
C. & H. Transfer Company	-----	13,087.28	-----	-----	66.83	-----	5,719.64	-----	18,873.75
Central Truck Lines, Inc.	81,000.00	-----	7,711.07	19,508.05	3,231.26	-----	70,967.38	664.11	183,081.87
Chastain Transfer Line	-----	532.79	-----	328.50	4.68	-----	63.56	-----	929.53
Elliott-Young Consolidated, Inc.	15,000.00	-----	-----	13,236.23	1,363.99	-----	12,322.31	1,384.41	43,306.94
Five Transportation Company	-----	23,272.44	3,450.00	11,451.55	-----	-----	38,003.68	-----	76,177.67
Fogarty Brothers Transfer, Inc.	6,000.00	-----	92.79	14,914.38	185.88	-----	19,152.60	3,334.91	43,680.56
Great Southern Trucking Company	8,588.50	-----	-----	84,263.95	6,416.37	-----	41,985.30	27,482.08	168,736.20
Green Brothers Transfer Company	-----	3,072.57	876.13	-----	-----	-----	2,733.24	-----	6,681.94
Griffis Truck Line	-----	*283.02	-----	739.83	138.82	-----	1,145.39	-----	1,741.02
Highway Transportation Company	1,500.00	-----	-----	151.74	-----	-----	360.00	*592.43	1,419.31
Hunt Truck Line	-----	9,694.85	-----	4,786.60	154.80	-----	5,232.90	-----	19,869.15
Independent Transfer Company	-----	979.23	-----	1,383.08	252.79	-----	6,891.62	-----	9,506.72

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
GENERAL BALANCE SHEET — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	LIABILITIES								
	Corporate Capital Liabilities	Non-corporate Proprietor- ship	Funded Debt	Current Liabilities	Accrued Liabilities	Deferred Credits	Reserve Accounts	Corporate Surplus	Grand Total
TRUCK OPERATIONS — COMMON CARRIER									
K. & L. Transportation Company, Inc.	5,000.00	-----	-----	59,321.63	1,051.83	-----	28,413.96	*3,865.04	89,922.38
L. & L. Freight Lines, Inc.	50,000.00	-----	10,434.24	30,847.73	-----	-----	22,459.49	9,353.06	123,094.52
Marshall Transfer Company	-----	2,908.46	-----	-----	9.20	-----	2,112.22	-----	5,029.88
Mathews Truck Line	-----	2,525.07	-----	-----	-----	-----	2,695.10	-----	5,220.17
Over Seas Transportation Company, Inc.	1,000.00	-----	-----	7,030.78	792.70	-----	5,388.19	*552.08	13,659.59
Peters Truck Line	-----	3,864.55	-----	521.57	-----	-----	425.50	-----	4,811.62
Pittman Truck Line	-----	1,309.03	-----	512.34	44.83	-----	3,907.94	-----	5,774.14
St. Johns River Line Company	76,817.08	-----	38,421.47	52,064.41	9,684.30	887.16	64,644.61	72,939.99	315,459.02
Star Truck Lines, Inc.	12,755.89	-----	2,775.00	7,061.24	328.84	-----	16,343.29	*392.50	38,871.76
Tarpon Truck Line	-----	10,814.54	-----	-----	-----	-----	272.81	-----	11,087.35
Union Express Freight Company	17,075.00	-----	1,473.74	5,601.08	105.00	-----	1,930.69	*11,625.70	14,559.81
Walters Truck Line	-----	1,484.90	-----	-----	12.19	-----	200.00	-----	1,697.09
Total Truck Operations— Common Carrier	\$ 313,039.75	\$ 78,651.44	\$ 71,442.03	\$ 372,174.84	\$ 26,291.99	\$ 1,887.16	\$ 404,721.39	\$ 90,561.77	\$ 1,358,770.37

Asterisk indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
GENERAL BALANCE SHEET — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	LIABILITIES								
	Corporate Capital Liabilities	Non-corporate Proprietor- ship	Funded Debt	Current Liabilities	Accrued Liabilities	Deferred Credits	Reserve Accounts	Corporate Surplus	Grand Total
BUS OPERATIONS									
Ader Coach Lines.....		\$ 46,810.45					\$ 57,473.48		\$ 104,283.93
Atlantic Greyhound Lines.....	\$ 1,544,418.61			\$ 1,264,052.83	\$ 197,941.39	\$ 5,690.96	1,236,491.84	\$ 733,007.46	4,981,603.09
Bainbridge-Columbus Motor Lines.....		6,045.00		1,200.00	30.00		600.00		7,875.00
Coleman Motor Lines.....		25,156.45	\$ 4,000.00	8,594.13	340.00		16,258.98		54,349.56
East Coast Stages, Inc.....	267,550.00				3,719.15		162,532.30	234,326.45	668,127.90
Florida Motor Lines, Inc.....	223,100.00		1,268,365.15	401,215.74	31,266.71	2,511.80	403,385.89	*423,353.89	1,906,491.40
Florida Motor Lines Corporation.....	683,220.00			367,514.89	59,420.55	8,898.16	502,117.33	247,291.40	1,868,462.33
Georgia Stages, Inc.....	90,000.00			7,729.82	1,326.19	123.13	579.80	3,621.58	103,380.52
Glades "K" Motor Lines.....		1,512.33	1,782.78	1,259.10	103.32		1,271.58		5,929.11
Gulf Coast Motor Lines, Inc.....	500.00						1,333.33	5,935.97	7,769.30
Gulf Crescent Motor Lines, Inc.....	3,000.00		5,000.00	11,262.82				*9,790.75	9,472.07
Lee Coach Line.....		2,773.91	4,469.15		1,006.62		13,795.72		22,045.40
Monroeville Bus Company, Inc.....	2,500.00		846.00	3,410.35	108.34		2,051.41	2,952.02	11,868.12
Pass-a-grille Beach Bus Line.....							2,698.74	2,179.32	4,878.06
Rook's Coach Line.....		225.82	287.70	100.18	15.35		129.20		758.25
Seminole Coach Line.....		*2,495.61	2,925.56	3,040.72		525.00	1,057.00		5,052.67
Southeastern Greyhound Lines Inc.....	330,711.84		145,509.96	75,564.96	30,572.44		46,950.58	33,885.47	663,195.25
Southern Tours, Inc.....	2,400.00			34,559.59			22,630.53	*31,098.66	28,491.86
Tallahassee-Monticello Bus Line.....		323.68			19.93		495.70		839.31
Union Bus Company.....	315,000.00		137,602.13	33,029.51	49,109.64	260,142.50	131,635.46	6,858.06	933,377.30
Total Bus Operation — Common Carrier.....	\$ 3,462,400.45	\$ 80,352.03	\$ 1,570,788.43	\$ 2,212,535.04	\$ 374,979.63	\$ 277,891.55	\$ 2,603,488.87	\$ 805,814.43	\$11,388,250.43

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
GENERAL BALANCE SHEET — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	LIABILITIES								
	Corporate Capital Liabilities	Non-corporate Proprietor- ship	Funded Debt	Current Liabilities	Accrued Liabilities	Deferred Credits	Reserve Accounts	Corporate Surplus	Grand Total
COMBINED BUS AND TRUCK OPERATIONS									
Green's Taxi and Baggage Transfer.....		\$ 218.00		\$ 150.00			\$ 1,782.00		\$ 2,150.00
McJunkin, Wayne F.....		3,038.57	\$ 2,085.83	1,939.78			5,733.06		12,797.24
St. Andrews Bay Transportation Company	\$ 11,500.00		19,611.08	6.19	\$ 1,185.55	\$ 1,135.02	2,479.20	\$ 692.25	36,609.29
Tamiami Trail Tours, Inc.....	13,000.00		683,841.96	57,827.71	2,645.53	1,415.19	143,373.20	*641,614.26	260,489.33
Teche Lines, Inc.....	178,995.00		286,666.64	122,573.43	110,462.15	4,950.00	452,471.32	437,752.42	1,593,870.96
University City Transfer Company, Inc.	7,000.00			511.39	318.74		14,723.33	2,919.80	25,473.26
Total Bus and Truck Operations— Common Carrier.....	\$ 210,495.00	\$ 3,256.57	\$ 992,205.51	\$ 183,008.50	\$ 114,611.97	\$ 7,500.21	\$ 620,562.11	\$ *200,249.79	\$ 1,931,390.08

Asterisk indicates a debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
GENERAL BALANCE SHEET — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	ASSETS						
	Plant and Equipment	Invest- ments	Special Deposits	Current Assets	Prepay- ments	Deferred Charges	Grand Total
COMBINED BUS AND TRUCK OPERATIONS							
Green's Taxi and Baggage Transfer.....	\$ 2,150.00						\$ 2,150.00
McJunkin, Wayne F.....	11,959.21			\$ 65.68	\$ 772.35		12,797.24
St. Andrews Bay Transportation Company.....	25,739.44			8,220.16	2,063.99	\$ 585.70	36,609.29
Tamiami Trail Tours, Inc.....	208,960.88	\$ 60.00	\$ 220.00	33,813.64	4,244.78	13,190.03	260,489.33
Teche Lines, Inc.....	1,348,573.66	4,100.00	2,991.02	154,055.18	28,188.65	55,962.45	1,593,870.96
University City Transfer Company, Inc.....	17,784.58	1,000.00		6,370.59	318.09		25,473.26
Total Bus and Truck Operations—Common Carrier..	\$ 1,615,167.77	\$ 5,160.00	\$ 3,211.02	\$ 202,525.25	\$ 35,587.86	\$ 69,738.18	\$1,931,390.08

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
PROFIT AND LOSS ACCOUNT — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Balance at Beginning of Period	Transferred from Income Account	Miscellaneous Credits	Miscellaneous Debits to P. & L. Account	Balance at Close of Period
TRUCK OPERATIONS—COMMON CARRIER					
Acme Freight Lines, Inc.....	\$ *128.25	\$ 607.66	\$ 3,193.82	\$ 3,193.82	\$ 479.41
Akins, W. L., Transportation Company, Inc.....	188.65	*841.97			*653.32
Bee Line Transfer Company.....		5,158.11		5,158.11	
Brown Motor Freight & Boat Lines, Inc.....	*6,683.68	*428.99	211.14	493.60	*7,395.13
C. & H. Transfer Company.....		6,116.78		6,116.78	
Central Truck Lines, Inc.....	3,944.15	*312.16	1,232.12	42,00.00	664.11
Chastain Transfer Line.....		*55.77		*55.77	
Elliott-Young Consolidated, Inc.....	1,811.73	*952.97	1,204.20	678.55	1,384.41
Five Transportation Company.....		10,900.71		10,900.71	
Fogarty Brothers Transfer, Inc.....		160.62			3,334.91
Great Southern Trucking Company.....	3,174.29	4,209.97		2,440.16	27,482.08
Green Brothers Transfer Company.....	25,712.27	4,100.62	375.50	4,476.12	
Griffis Truck Line.....		*480.82	55.50	*425.32	
Highway Transportation.....	*648.64	56.21			*592.43
Hunt Truck Line.....		3,352.23	302.21	3,654.44	
Independent Transfer Company.....		313.11		313.11	
K. & L. Transportation Company, Inc.....	988.41	*6,723.80	1,870.35		*3,865.04
L. & L. Freight Lines, Inc.....	8,862.30	1,182.06		691.30	9,353.06
Marshall Transfer Company.....		1,003.48		1,003.47	
Mathews Truck Line.....		2,777.26		2,777.26	
Over Seas Transportation Company, Inc.....	*342.39	6,190.48	3.87	6,404.04	*552.08
Peters Truck Line.....		3,089.42		3,089.42	
Pittman Truck Line.....		750.69		750.69	
St. Johns River Line Company.....	82,619.88	12,491.01		22,170.90	72,939.99
Star Truck Lines, Inc.....	*675.10	282.60			*392.50
Tarpon Truck Line.....		856.09		856.09	
Union Express Freight Company.....	*14,226.14	2,600.44			*11,625.70
Walters Truck Line.....		*761.78		*761.78	
Total Truck Operations—Common Carrier.....	\$ 104,597.48	\$ 55,641.29	\$ 8,448.71	\$ 78,125.71	\$ 90,561.77

Asterisk indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
PROFIT AND LOSS ACCOUNT — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Balance at Beginning of Period	Transferred from Income Account	Miscellaneous Credits	Miscellaneous Debits to P. & L. Account	Balance at Close of Period
BUS OPERATIONS					
Ader Coach Lines.....		\$ *108.14		\$ *108.14	
Atlantic Greyhound Lines.....	\$ 623,402.22	720,077.24	\$ 1,809.36	675,993.60	\$ 669,295.22
Bainbridge-Columbus Motor Lines.....		12.99		12.99	
Coleman Motor Lines.....		5,624.24		5,624.24	
East Coast Stages, Inc.....	8,468.24	3,308.21	222,550.00		234,326.45
Florida Motor Lines, Inc.....	*541,557.32	118,203.43			*423,353.89
Florida Motor Lines Corporation.....	322,795.36	81,636.64		157,140.60	247,291.40
Georgia Stages, Inc.....		3,621.58			3,621.58
Glades "K" Motor Lines.....		2,024.33		2,024.33	
Gulf Coast Motor Lines, Inc.....	6,584.68	*648.71			5,935.97
Gulf Crescent Motor Lines, Inc.....	*8,333.31	1,456.20		2,913.64	*9,790.75
Lee Coach Line.....		2,723.69		2,723.69	
Monroeville Bus Company, Inc.....	283.29	2,668.73			2,952.02
Pass-a-grille Beach Bus Line.....	666.96	1,512.36			2,179.32
Rook's Coach Line.....		25.44		25.44	
Seminole Coach Line.....		*3,148.81		*3,148.81	
Southeastern Greyhound Lines, Inc.....	23.14	61,862.33		28,000.00	33,885.47
Southern Tours, Inc.....	*32,920.11	*304.55			*33,224.66
Tallahassee-Monticello Bus Line.....		*143.96		*143.96	
Union Bus Company.....	8,616.03	51,137.06	61,229.30	114,124.33	6,858.06
Total Bus Operations—Common Carrier.....	\$ 388,029.18	\$ 1,051,540.30	\$ 285,588.66	\$ 985,181.95	\$ 739,976.19

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
 PROFIT AND LOSS ACCOUNT — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Balance at Beginning of Period	Transferred from Income Account	Miscellaneous Credits	Miscellaneous Debits to P. & L. Account	Balance at Close of Period
COMBINED BUS AND TRUCK OPERATIONS					
Green's Taxi and Baggage Transfer.....		\$ 615.05		\$ 615.05	
McJunkin, Wayne F.....		1,710.44		1,710.44	
St. Andrews Bay Transportation Company.....	\$ *1,668.13	6,017.97		3,657.59	\$ 692.25
Tamiami Trail Tours Inc.....	*643,339.76	1,725.50			*641,714.26
Teche Lines, Inc.....	364,530.96	404,305.57	9,006.39	340,090.50	437,752.42
University City Transfer Company, Inc.....	3,768.21	*848.41			2,919.80
Total Bus and Truck Operations—Common Carrier.....	\$ *276,708.72	\$ 413,526.12	\$ 9,006.39	\$ 346,073.58	\$ *200,249.79

Asterisk indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
INCOME ACCOUNT — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Auto Operating Revenues	Auto Operating Expenses	Net Revenue from Auto Operations	Net Revenue Affiliated or Auxiliary Operations	Net Operating Revenue	Auto Tax Accruals	Non- Operating Income	Income Deductions	Net Balance Carried to P. & L. Acct.
TRUCK OPERATIONS — COMMON CARRIER									
Acme Freight Lines, Inc.	\$ 210,736.10	\$ 171,981.01	\$ 38,755.09	-----	\$ 38,755.09	\$ 36,321.31	-----	\$ 1,826.12	\$ 607.66
Akins, W. L., Transportation Co., Inc.	-----	2,041.97	*2,041.97	-----	*2,041.97	-----	\$ 1,200.00	-----	*841.97
Bee Line Transfer Company	25,629.91	17,647.64	7,982.27	-----	7,982.27	2,467.64	-----	356.52	5,158.11
Brown Motor Freight & Boat Lines, Inc.	15,381.09	15,929.35	*548.26	-----	*548.26	3,205.90	4,317.15	991.98	*428.99
C. & H. Transfer Company	7,411.14	4,929.52	2,481.62	\$ 4,419.81	6,901.43	784.65	-----	-----	6,116.78
Central Truck Lines, Inc.	396,448.88	334,954.59	61,494.29	-----	61,494.29	61,048.59	-----	757.86	*312.16
Chastain Transfer Line	1,499.38	1,334.70	154.68	*13.92	140.76	189.13	-----	7.40	*55.77
Elliott-Young Consolidated, Inc.	52,764.32	46,337.20	6,427.12	*92.27	6,334.85	7,009.94	-----	277.88	*952.97
Five Transportation Company	99,524.63	75,623.65	23,900.98	-----	23,900.98	10,951.44	-----	2,048.83	10,900.71
Fogarty Brothers Transfer, Inc.	61,454.70	53,355.26	8,099.44	-----	8,099.44	7,928.45	495.63	506.00	160.62
Great Southern Trucking Company	455,823.08	376,011.75	79,811.33	-----	79,811.33	74,507.74	-----	1,093.62	4,209.97
Green Brothers Transfer Company	15,783.16	10,606.91	5,176.25	713.39	5,889.64	1,626.57	-----	162.45	4,100.62
Griffis Truck Line	1,807.87	1,823.50	*15.63	-----	*15.63	465.19	-----	-----	*480.82
Highway Transportation Company	1,582.78	1,033.67	549.11	-----	549.11	492.90	-----	-----	56.21
Hunt Truck Line	36,936.34	28,194.19	8,742.15	-----	8,742.15	5,302.81	-----	87.11	3,352.23
Independent Transfer Company	36,036.45	31,417.80	4,618.65	-----	4,618.65	3,219.54	-----	1,086.00	313.11
K. & L. Transportation Company, Inc.	302,412.36	260,664.24	41,748.12	-----	41,748.12	41,888.44	-----	6,583.48	*6,723.80
L. & L. Freight Lines, Inc.	376,555.51	311,803.12	64,752.39	-----	64,752.39	57,365.74	-----	6,204.59	1,182.06
Marshall Transfer Company	2,462.96	1,742.46	720.50	650.90	1,371.40	367.92	-----	-----	1,003.48
Mathews Truck Line	6,999.87	3,559.95	3,439.92	-----	3,439.92	662.66	-----	-----	2,777.26
Over Seas Transportation Company, Inc.	63,052.71	53,957.22	9,095.49	-----	9,095.49	2,905.01	-----	-----	6,190.48
Peters Truck Line	11,741.05	7,554.79	4,186.26	-----	4,186.26	1,096.84	-----	-----	3,089.42
Pittman Truck Line	11,276.88	8,695.74	2,581.14	-----	2,581.14	1,830.45	-----	-----	750.69
St. Johns River Line Company	125,079.27	109,562.19	15,517.08	-----	15,517.08	13,958.42	20,981.25	10,048.90	12,491.01
Star Truck Lines, Inc.	67,705.75	57,200.04	10,505.71	-----	10,505.71	9,580.90	-----	642.21	282.60
Tarpon Truck Line	4,789.59	3,319.91	1,469.68	-----	1,469.68	547.04	-----	66.55	856.09
Union Express Freight Company	30,753.61	22,797.88	7,955.73	-----	7,955.73	3,245.64	-----	2,109.65	2,600.44
Walters Truck Line	2,505.62	2,663.02	*157.40	-----	*157.40	428.38	-----	176.00	*761.78
Total Truck Operations — Common Carrier	\$ 2,424,155.01	\$2,016,753.27	\$ 407,401.74	\$ 5,677.91	\$ 413,079.65	\$ 349,399.24	\$ 26,994.03	\$ 35,033.15	\$ 55,641.29

Asterisk indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
INCOME ACCOUNT — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Auto Operating Revenues	Auto Operating Expenses	Net Revenue from Auto Operations	Net Revenue Affiliated or Auxiliary Operations	Net Operating Revenue	Auto Tax Accruals	Non- Operating Income	Income Deductions	Net Balance Carried to P. & L. Acct.
BUS OPERATIONS									
Ader Coach Lines.....	\$ 119,684.35	\$ 101,728.53	\$ 17,955.82	-----	\$ 17,955.82	\$ 18,063.96	-----	-----	\$ *108.14
Atlantic Greyhound Lines.....	3,940,603.69	2,674,658.41	1,265,945.28	-----	1,265,945.28	590,714.31	\$ 54,892.60	\$ 10,046.33	720,077.24
Bainbridge-Columbus Motor Lines.....	2,013.64	1,776.22	237.42	-----	237.42	189.43	-----	35.00	12.99
Coleman Motor Lines.....	86,873.48	71,387.55	15,485.93	-----	15,485.93	9,383.69	-----	478.00	5,624.24
East Coast Stages, Inc.....	481,523.79	403,377.26	78,146.53	-----	78,146.53	70,351.35	444.97	4,931.94	3,308.21
Florida Motor Lines, Inc.....	940,414.89	610,782.12	329,632.77	-----	329,632.77	143,956.56	1,819.97	69,292.75	118,203.43
Florida Motor Lines Corporation.....	502,300.79	323,692.40	178,608.39	-----	178,608.39	92,997.98	537.16	4,510.93	81,636.64
Georgia Stages, Inc.....	12,616.02	7,476.71	5,139.31	-----	5,139.31	1,517.73	-----	-----	3,621.58
Glades "K" Motor Lines.....	20,252.63	14,625.65	5,626.98	-----	5,626.98	3,221.37	-----	381.28	2,024.33
Gulf Coast Motor Lines, Inc.....	12,772.81	11,572.21	1,200.60	-----	1,200.60	1,849.31	-----	-----	*648.71
Gulf Crescent Motor Lines, Inc.....	42,785.20	34,496.54	8,288.66	-----	8,288.66	6,394.83	-----	437.63	1,456.20
Lee Coach Line.....	22,592.69	16,502.87	6,089.82	-----	6,089.82	3,073.23	-----	292.90	2,723.69
Monroeville Bus Company, Inc.....	19,696.64	14,035.02	5,661.62	-----	5,661.62	2,607.52	-----	385.37	2,668.73
Pass-a-grille Beach Bus Line.....	9,067.54	6,195.90	2,871.64	-----	2,871.64	1,359.28	-----	-----	1,512.36
Rook's Coach Line.....	2,006.82	1,497.58	509.24	-----	509.24	433.65	-----	50.15	25.44
Seminole Coach Line.....	7,764.26	8,721.42	*957.16	-----	*957.16	2,103.39	-----	88.26	*3,148.81
Southeastern Greyhound Lines, Inc.....	431,777.55	280,644.47	151,133.08	-----	151,133.08	84,541.09	704.22	5,433.88	61,862.33
Southern Tours, Inc.....	14,479.18	12,649.83	1,839.35	-----	1,829.35	2,133.90	-----	-----	*304.55
Tallahassee-Monticello Bus Line.....	2,208.35	2,078.63	129.72	-----	129.72	258.68	-----	15.00	*143.96
Union Bus Company.....	656,129.47	474,836.08	181,293.39	-----	181,293.39	135,354.09	18,813.65	13,615.89	51,137.06
Total Bus Operations — Common Carrier.....	\$7,327,563.79	\$5,072,735.40	\$2,254,828.39	-----	\$2,254,828.39	\$1,170,505.35	\$ 77,212.57	\$ 109,995.31	\$1,051,540.30

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
INCOME ACCOUNT — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Auto Operating Revenues	Auto Operating Expenses	Net Revenue from Auto Operations	Net Revenue Affiliated or Auxiliary Operations	Net Operating Revenue	Auto Tax Accruals	Non- Operating Income	Income Deductions	Net Balance Carried to P. & L. Acct.
COMBINED BUS AND TRUCK OPERATIONS									
Green's Taxi and Baggage Transfer....	\$ 2,833.50	\$ 1,296.95	\$ 1,536.55	\$ *378.70	\$ 1,157.85	\$ 542.80			\$ 615.05
McJunkin, Wayne F.....	13,833.40	10,078.10	3,755.30		3,755.30	1,773.73		\$ 271.13	1,710.44
St. Andrews Bay Transportation Co.....	48,634.55	32,974.93	15,659.62		15,659.62	11,296.54	\$ 2,200.00	545.11	6,017.97
Tamiami Trail Tours, Inc.....	294,038.33	237,544.00	56,494.33		56,494.33	53,000.79		1,768.04	1,725.50
Teche Lines, Inc.....	1,796,118.60	1,055,094.40	741,024.20		741,024.20	328,783.74	143.18	8,078.07	404,305.57
University City Transfer Company, Inc.....	38,733.49	32,584.89	6,148.60		6,148.60	6,792.25		204.76	*848.41
Total Bus and Truck Operations — Common Carrier.....	\$2,194,191.87	\$1,369,573.27	\$ 824,618.60	\$ *378.70	\$ 824,239.90	\$ 402,189.85	\$ 2,343.18	\$ 10,867.11	\$ 413,526.12

Asterisk indicates debit item or deficit.

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
OPERATING REVENUES — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Freight Revenue	Total Revenue from Transportation	Miscellaneous Operating Revenue	Total Revenue
TRUCK OPERATIONS — COMMON CARRIER				
Acme Freight Lines, Inc.	\$ 210,360.36	\$ 210,360.36	\$ 375.74	\$ 210,736.10
Akins, W. L. Transportation Company, Inc.				
Bee Line Transfer Company	24,326.85	24,326.85	1,303.06	25,629.91
Brown Motor Freight & Boat Lines, Inc.	15,381.09	15,381.09		15,381.09
C. & H. Transfer Company	7,381.39	7,381.39	29.75	7,411.14
Central Truck Lines, Inc.	393,121.51	393,121.51	3,327.37	396,448.88
Chastain Transfer Line	1,499.38	1,499.38		1,499.38
Elliott-Young Consolidated, Inc.	51,719.95	51,719.95	1,044.37	52,764.32
Five Transportation Company	99,524.63	99,524.63		99,524.63
Fogarty Brothers Transfer, Inc.	61,454.70	61,454.70		61,454.70
Great Southern Trucking Company	451,752.47	451,752.47	4,070.61	455,823.08
Green Brothers Transfer Company	15,783.16	15,783.16		15,783.16
Griffis Truck Line	1,805.47	1,805.47	2.40	1,807.87
Highway Transportation Company	1,582.78	1,582.78		1,582.78
Hunt Truck Line	36,260.94	36,260.94	675.40	36,936.34
Independent Transfer Company	36,036.45	36,036.45		36,036.45
K. & L. Transportation Company, Inc.	300,692.18	300,692.18	1,720.18	302,412.36
L. & L. Freight Lines	374,099.64	374,099.64	2,455.87	376,555.51
Marshall Transfer Company	2,372.31	2,372.31	90.65	2,462.96
Mathews Truck Line	6,999.87	6,999.87		6,999.87
Over Seas Transportation Company, Inc.	61,951.64	61,951.64	1,101.07	63,052.71
Peters Truck Line	11,407.04	11,407.04	334.01	11,741.05
Pittman Truck Line	11,276.88	11,276.88		11,276.88
St. Johns River Line Company	123,876.11	123,876.11	1,203.16	125,079.27
Star Truck Lines, Inc.	66,567.12	66,567.12	1,138.63	67,705.75
Tarpon Truck Line	4,789.59	4,789.59		4,789.59
Union Express Freight Company	29,728.11	29,728.11	1,025.50	30,753.61
Walters Truck Line	2,505.62	2,505.62		2,505.62
Total Truck Operations — Common Carrier	\$ 2,404,257.24	\$ 2,404,257.24	\$ 19,897.77	\$ 2,424,155.01

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
OPERATING REVENUES — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Passenger Revenue	Baggage Revenue	Special (chartered for hire) Bus Revenue	U.S. Mail (on Buses)	Express Revenue	Freight Revenue	Total Revenue from Trans- portation	Miscel- laneous Operating Revenue	Total Revenue
BUS OPERATIONS									
Ader Coach Lines.....	\$ 118,260.89				\$ 1,423.46		\$ 119,684.35		\$ 119,684.35
Atlantic Greyhound Lines.....	\$3,663,165.32	\$ 34,629.69	\$ 51,897.39	\$ 1,235.72	17,229.54		3,768,157.66	\$ 172,446.03	3,940,603.69
Bainbridge-Columbus Motor Lines.....	1,949.04				64.60		2,013.64		2,013.64
Coleman Motor Lines.....	83,556.83	14.25		1,200.00	2,102.40		86,873.48		86,873.48
East Coast Stages, Inc.....	443,232.43	4,213.96	5,981.17	600.00	592.34		454,619.90	26,903.89	481,523.79
Florida Motor Lines, Inc.....	866,921.77		721,160.67		41,161.16		929,243.10	11,171.79	940,414.89
Florida Motor Lines Corporation.....	448,321.14		24,588.56		18,853.80		491,763.50	10,537.29	502,300.79
Georgia Stages, Inc.....	12,430.14		35.40		133.97		12,599.51	16.51	12,616.02
Glades "K" Motor Lines.....	16,973.42				3,049.06		20,022.48	230.15	20,252.63
Gulf Coast Motor Lines, Inc.....	11,033.02				1,739.79		12,772.81		12,772.81
Gulf Crescent Motor Lines, Inc.....	40,937.35				1,024.38		41,961.73	823.47	42,785.20
Lee Coach Line.....	19,196.75			2,190.00	1,205.94		22,592.69		22,592.69
Monroeville Bus Company, Inc.....	19,109.64				587.00		19,696.64		19,696.64
Pass-a-grille Beach Bus Line.....	9,067.54						9,067.54		9,067.54
Rook's Coach Line.....	1,816.25				190.57		2,006.82		2,006.82
Seminole Coach Line.....	7,395.02		137.72		231.52		7,764.26		7,764.26
Southeastern Greyhound Lines, Inc.....	412,970.36	117.52	7,679.62	6,345.29	4,351.46		431,464.25	313.30	431,777.55
Southern Tours, Inc.....	14,479.18						14,479.18		14,479.18
Tallahassee-Monticello Bus Line.....	1,461.00			703.75	43.60		2,208.35		2,208.35
Union Bus Company.....	627,450.76	253.49	13,234.72		15,190.50		656,129.47		656,129.47
Total Bus Operations — Common Carrier.....	\$6,819,727.85	\$ 39,228.91	\$ 124,714.75	\$ 12,274.76	\$ 109,175.09		\$7,105,211.36	\$ 222,442.43	\$7,327,563.79

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
OPERATING REVENUES — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Passenger Revenue	Baggage Revenue	Special (chartered for hire) Bus Revenue	U.S. Mail (on Buses)	Express Revenue	Freight Revenue	Total Revenue from Trans- portation	Miscel- laneous Operating Revenue	Total Revenue
COMBINED BUS AND TRUCK OPERATIONS									
Green's Taxi and Baggage Transfer.....	\$ 811.00	\$ 412.50	\$ 465.00	\$ 120.00	-----	\$ 1,025.00	\$ 2,833.50	-----	\$ 2,833.50
McJunkin, Wayne F.	5,810.18	-----	-----	-----	-----	8,023.22	13,833.40	-----	13,833.50
St. Andrews Bay Transportation Co.	30,083.75	-----	-----	6,236.95	\$ 2,582.03	9,697.12	48,599.85	\$ 34.70	48,634.55
Tamiami Trail Tours, Inc.	120,547.54	-----	6,292.00	-----	5,946.76	158,854.59	291,640.89	2,397.44	294,038.33
Teche Lines, Inc.	1,711,263.18	1,222.80	24,048.71	2,524.20	41,561.65	15,498.06	1,796,118.60	-----	1,796,118.60
University City Transfer Company, Inc.	392.25	-----	-----	1,595.80	-----	36,173.21	38,161.26	572.23	38,733.49
Total Bus and Truck Operations — Common Carrier.....	\$1,868,907.90	\$ 1,635.30	\$ 30,805.71	\$ 10,476.95	\$ 50,090.44	\$ 229,271.20	\$2,191,187.50	\$ 3,004.37	\$2,194,191.87

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
OPERATING EXPENSES — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Maintenance of Plant and Equipment	Operating Garage Expenses	Transportation	Traffic Promotion	Administrative and General Expenses	Total Operating Expenses
TRUCK OPERATIONS — COMMON CARRIER						
Acme Freight Lines, Inc.....	\$ 40,902.60	\$ 5,878.62	\$ 78,810.12	\$ 11,412.74	\$ 34,976.93	\$ 171,981.01
Akins, W. L., Transportation Company, Inc.....	841.97				1,200.00	2,041.97
Bee Line Transfer Company.....	2,443.59		9,143.47	310.55	5,750.03	17,647.64
Brown Motor Freight & Boat Lines, Inc.....	4,100.91		6,580.54	1,992.78	3,255.12	15,929.35
C. & H. Transfer Company.....	829.75		2,224.97	120.00	754.80	4,929.52
Central Truck Lines, Inc.....	81,705.58		181,394.56	21,386.12	50,468.33	334,954.59
Chastain Transfer Line.....	170.36		982.77		191.57	1,344.70
Elliott-Young Consolidated, Inc.....	6,977.35	2,322.85	22,685.70	2,121.24	12,230.06	46,337.20
Five Transportation Company.....	19,569.41		35,132.85		20,921.39	75,623.65
Fogarty Brothers Transfer, Inc.....	14,740.58		20,898.03	2,136.73	15,579.92	53,355.26
Great Southern Trucking Company.....	73,734.46		224,533.17	18,724.34	59,019.78	376,011.75
Green Brothers Transfer Company.....	2,271.82		5,847.36	375.03	2,112.70	10,606.91
Griffis Truck Line.....	608.68		916.66	52.00	246.16	1,823.50
Highway Transportation.....	365.25		576.58	14.50	77.34	1,033.67
Hunt Truck Line.....	8,755.19		11,573.77	1,960.02	5,905.21	28,194.19
Independent Transfer Company.....	5,884.09		15,339.63		10,094.08	31,417.80
K. & L. Transportation Company, Inc.....	61,548.75	3,433.48	100,753.36	10,644.63	84,284.02	260,664.24
L. & L. Freight Lines, Inc.....	60,322.99		167,969.23	14,255.26	69,255.64	311,803.12
Marshall Transfer Company.....	368.16		1,215.90	14.40	144.00	1,742.46
Mathews Truck Line.....	394.25		2,368.98	8.00	788.73	3,559.95
Over Seas Transportation Company, Inc.....	4,286.62		27,020.69	318.23	22,331.68	53,957.22
Peters Truck Line.....	798.90		3,504.59	10.00	3,241.30	7,554.79
Pittman Truck Line.....	1,656.48		5,473.30	243.15	1,322.81	8,695.74
St. Johns River Line Company.....	15,665.19		72,740.74	4,890.90	16,265.36	109,562.19
Star Truck Lines, Inc.....	8,963.45		29,913.82	3,961.41	14,361.36	57,200.04
Tarpon Truck Line.....	608.85		2,349.55		361.51	3,319.91
Union Express Freight Company.....	3,979.23	2,085.00	11,978.62		4,755.03	22,797.88
Walters Truck Line.....	392.00		1,480.52	416.00	374.50	2,663.02
Total Truck Operations—Common Carrier.....	\$ 422,886.46	\$ 13,719.95	\$1,044,409.47	\$ 95,368.03	\$ 440,369.36	\$2,016,753.27

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936

OPERATING EXPENSES — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Maintenance of Plant and Equipment	Operating Garage Expenses	Transportation	Traffic Promotion	Administrative and General Expenses	Total Operating Expenses
BUS OPERATIONS						
Ader Coach Lines.....	\$ 29,460.82	-----	\$ 55,016.93	\$ 1,974.93	\$ 15,275.85	\$ 101,728.53
Atlantic Greyhound Lines.....	600,006.69	\$ 146,072.44	1,270,264.88	169,473.66	488,840.74	2,674,658.41
Bainbridge-Columbus Motor Lines.....	599.30	-----	892.56	18.65	265.71	1,776.22
Coleman Motor Lines.....	18,614.98	3,102.04	40,920.21	1,682.21	7,067.60	71,387.55
East Coast Stages, Inc.....	58,299.59	22,050.04	183,164.06	25,066.55	114,797.02	403,377.26
Florida Motor Lines, Inc.....	171,649.35	11,111.31	280,551.14	39,195.85	108,274.47	610,782.12
Florida Motor Lines Corporation.....	97,869.77	5,311.00	136,530.50	20,856.21	63,124.92	323,692.40
Georgia Stages, Inc.....	1,875.94	338.09	4,539.43	67.20	656.05	7,476.71
Glades "K" Motor Lines.....	3,992.65	-----	5,894.89	10.00	4,728.11	14,625.65
Gulf Coast Motor Lines, Inc.....	2,578.13	-----	4,543.88	-----	4,450.20	11,572.21
Gulf Crescent Motor Lines, Inc.....	5,493.71	60.00	13,578.28	154.75	15,209.80	34,496.54
Lee Coach Line.....	2,570.12	1,484.56	9,777.10	64.75	2,606.34	16,502.87
Monroeville Bus Company, Inc.....	5,096.67	-----	4,684.15	42.84	4,211.36	14,035.02
Pass-a-grille Beach Bus Line.....	1,688.32	-----	3,645.95	91.20	770.43	6,195.90
Rook's Coach Line.....	619.88	-----	654.50	-----	223.20	1,497.58
Seminole Coach Line.....	2,321.44	43.15	4,022.10	105.50	2,229.23	8,721.42
Southeastern Greyhound Lines, Inc.....	79,114.51	6,210.03	128,219.19	16,801.22	50,299.52	280,644.47
Southern Tours, Inc.....	982.27	443.29	3,986.99	2,578.23	4,659.05	12,649.83
Tallahassee-Monticello Bus Line.....	479.26	-----	1,363.87	-----	235.50	2,078.63
Union Bus Company.....	134,981.00	16,597.64	199,932.74	26,519.64	96,805.06	474,836.08
Total Bus Operations — Common Carrier.....	\$1,218,294.40	\$ 212,823.59	\$2,352,183.35	\$ 304,703.90	\$ 984,730.16	\$5,072,735.40

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
OPERATING EXPENSES—ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Maintenance of Plant and Equipment	Operating Garage Expenses	Transportation	Traffic Promotion	Administrative and General Expenses	Total Operating Expenses
COMBINED BUS AND TRUCK OPERATIONS						
Green's Taxi and Baggage Transfer	\$ 200.00		\$ 927.95		\$ 169.00	\$ 1,296.95
McJunkin, Wayne F.	3,599.19		4,472.73		2,006.18	10,078.10
St. Andrews Bay Transportation Company	9,311.05	\$ 387.69	18,864.78	\$ 747.31	3,664.10	32,974.93
Tamiami Trail Tours, Inc.	71,514.88		119,182.30	8,386.70	38,460.12	237,544.00
Teche Lines, Inc.	315,030.58	15,915.55	494,994.57	51,156.90	177,996.80	1,055,094.40
University City Transfer Company, Inc.	6,436.74		17,326.24	760.01	8,061.90	32,584.89
Total Bus and Truck Operations — Common Carrier	\$ 406,092.44	\$ 16,303.24	\$ 655,768.57	\$ 61,050.92	\$ 230,358.10	\$1,369,573.27

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
TAXES ACCRUED AND PAID

NAME OF COMPANY OR OPERATOR	On Auto Transportation Property	On Property Used in Affiliated or Auxiliary Operations	Miscellaneous Physical Property	Total Accrued During Year	Total Paid During Year
TRUCK OPERATIONS — COMMON CARRIER					
Acme Freight Lines, Inc.....	\$ 36,321.31			\$ 36,321.31	\$ 37,629.73
Akins, W. L., Transportation Company, Inc.....					
Bee Line Transfer Company.....	2,467.64			2,467.64	2,495.52
Brown Motor Freight & Boat Lines, Inc.....	3,205.90		\$ 872.15	4,078.05	3,948.70
C. & H. Transfer Company.....	784.65	\$ 4,005.31		4,789.96	3,978.97
Central Truck Lines, Inc.....	61,048.59			61,048.59	58,970.20
Chastain Transfer Line.....	189.13	37.81		226.94	223.70
Elliott-Young Consolidated, Inc.....	7,009.94	80.45		7,090.39	6,922.94
Five Transportation Company.....	10,951.44			10,951.44	10,951.44
Fogarty Brothers Transfer, Inc.....	7,928.45		35.25	7,963.70	7,809.79
Great Southern Trucking Company.....	74,507.74			74,507.74	74,179.21
Green Brothers Transfer Company.....	1,626.57	224.64		1,851.21	1,632.21
Griffis Truck Line.....	465.19			465.19	401.57
Highway Transportation Company.....	492.90			492.90	492.90
Hunt Truck Line.....	5,302.81			5,302.81	6,067.19
Independent Transfer Company.....	3,219.54			3,219.54	3,145.07
K. & L. Transportation Company, Inc.....	41,888.44			41,888.44	39,275.85
L. & L. Freight Lines, Inc.....	57,365.74			57,365.74	55,710.49
Marshall Transfer Company.....	367.92	375.98		743.90	902.62
Mathews Truck Line.....	662.66			662.66	662.66
Over Seas Transportation Company, Inc.....	2,905.01			2,905.01	2,112.31
Peters Truck Line.....	1,096.84			1,096.84	1,096.84
Pittman Truck Line.....	1,830.45			1,830.45	1,830.45
St. Johns River Line Company.....	13,958.42		10,131.17	24,089.59	22,642.99
Star Truck Lines, Inc.....	9,580.90			9,580.90	9,586.33
Tarpon Truck Line.....	547.04			547.04	547.04
Union Express Freight Company.....	3,245.64			3,245.64	3,245.64
Walters Truck Line.....	428.38			428.38	416.19
Total Truck Operations — Common Carrier.....	\$ 349,399.24	\$ 4,724.19	\$ 11,038.57	\$ 365,162.00	\$ 356,878.55

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
TAXES ACCRUED AND PAID

NAME OF COMPANY OR OPERATOR	On Auto Transportation Property	On Property Used in Affiliated or Auxiliary Operations	Miscellaneous Physical Property	Total Accrued During Year	Total Paid During Year
BUS OPERATIONS					
Ader Coach Lines.....	\$ 18,063.96			\$ 18,063.96	\$ 18,063.96
Atlantic Greyhound Lines.....	590,714.31			590,714.31	583,491.27
Bainbridge-Columbus Motor Lines.....	189.43		\$ 35.00	224.43	144.43
Coleman Motor Lines.....	9,383.69			9,383.69	9,667.81
East Coast Stages, Inc.....	70,351.35			70,351.35	68,691.56
Florida Motor Lines, Inc.....	143,956.56			143,956.56	121,836.57
Florida Motor Lines Corporation.....	92,997.98			92,997.98	81,497.47
Georgia Stages, Inc.....	1,517.73			1,517.73	2,115.54
Glades "K" Motor Lines.....	3,221.37			3,221.37	3,118.05
Gulf Coast Motor Lines, Inc.....	1,849.31			1,849.31	1,849.31
Gulf Crescent Motor Lines, Inc.....	6,394.83			6,394.83	6,768.83
Lee Coach Line.....	3,073.23			3,073.23	3,021.90
Monroeville Bus Company, Inc.....	2,607.52			2,607.52	2,499.18
Pass-a-grille Beach Bus Line.....	1,359.28			1,359.28	1,359.28
Rook's Coach Line.....	433.65			433.65	433.65
Seminole Coach Line.....	2,103.39			2,103.39	2,103.39
Southeastern Greyhound Lines, Inc.....	84,541.09			84,541.09	68,521.42
Southern Tours, Inc.....	2,133.90			2,133.90	2,076.39
Tallahassee-Monticello Bus Line.....	258.68			258.68	249.33
Union Bus Company.....	135,354.09			135,354.09	92,341.70
Total Bus Operations — Common Carrier.....	\$ 1,170,505.35		\$ 35.00	\$ 1,170,540.35	\$ 1,069,851.04

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
TAXES ACCRUED AND PAID

NAME OF COMPANY OR OPERATOR	On Auto Transportation Property	On Property Used in Affiliated or Auxiliary Operations	Miscellaneous Physical Property	Total Accrued During Year	Total Paid During Year
COMBINED BUS AND TRUCK OPERATIONS					
Green's Taxi and Baggage Transfer.....	\$ 542.80	\$ 374.80		\$ 917.60	\$ 917.60
McJunkin, Wayne F.....	1,773.73			1,773.73	1,807.20
St. Andrews Bay Transportation Company.....	11,296.54			11,296.54	11,068.22
Tamiami Trail Tours, Inc.....	53,000.79			53,000.79	51,624.09
Teche Lines, Inc.....	328,783.74			328,783.74	289,504.87
University City Transfer Company, Inc.....	6,792.25			6,792.25	6,721.51
Total Bus and Truck Operations — Common Carrier.....	\$ 402,189.85	\$ 374.80		\$ 402,564.65	\$ 361,643.49

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
MILEAGE, TRAFFIC AND MISCELLANEOUS STATISTICS — ENTIRE LINE

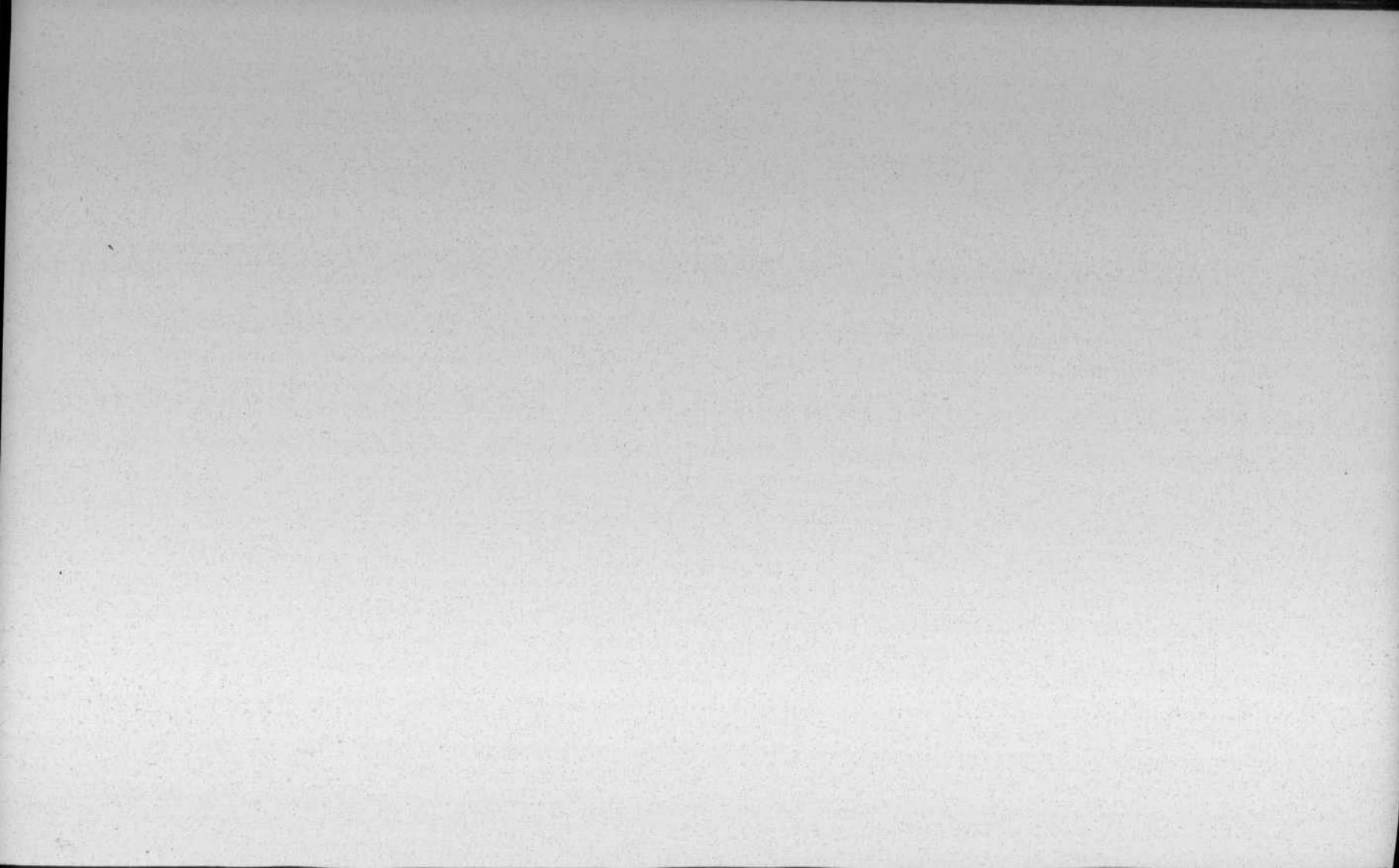
NAME OF COMPANY OR OPERATOR	Average Miles of Road Operated	REVENUE FREIGHT		TONS OF FREIGHT CARRIED	
		Freight, Express and Mail Trucks	Truck Trailers	Revenue	Non-Revenue
TRUCK OPERATIONS — COMMON CARRIER					
Acme Freight Lines, Inc.....	678	1,534,920		16,764	
Akins, W. L., Transportation Company, Inc.....					
Bee Line Transfer Company.....	28	52,136		8,428	
Brown Motor Freight & Boat Lines, Inc.....	192	97,261	13,065	2,815	
C. & H. Transfer Company.....	23	26,000		1,073	
Central Truck Lines, Inc.....	3,038	1,636,184	554,153	35,512	
Chastain Transfer Line.....	35	3,454		265	
Elliott-Young Consolidated, Inc.....	179	227,471		6,644	
Five Transportation Company.....	437	227,864		16,746	
Fogarty Brothers Transfer, Inc.....	56	183,350	11,624	9,119	
Great Southern Trucking Company.....	1,900	2,740,812		35,457	
Green Brothers Transfer Company.....	28	35,056		2,407	
Griffis Truck Line.....	70	21,116		225	
Highway Transportation Company.....	53	16,485		276	
Hunt Truck Line.....	300	162,981	2,312	5,522	
Independent Transfer Company.....	154	192,660		3,115	
K. & L. Transportation Company, Inc.....	1,180	1,779,876	78,740	30,603	
L. & L. Freight Lines, Inc.....	1,770	1,884,050	471,012	26,772	16
Marshall Transfer Company.....	23	10,986		311	
Mathews Truck Line.....	28	18,120		822	
Over Seas Transportation Company, Inc.....	80	51,200		6,650	
Peters Truck Line.....	38	42,254		1,204	
Pittman Truck Line.....	208	57,560		2,271	
St. Johns River Line Company.....	412	412,062	150,221	36,489	
Star Truck Lines, Inc.....	469	319,339		9,548	
Tarpon Truck Line.....	29	17,864		660	
Union Express Freight Company.....	143	87,100		4,462	
Walters Truck Line.....	27	12,730		245	
Total Truck Operations — Common Carrier.....	11,578	11,850,891	1,281,127	264,405	16

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
MILEAGE, TRAFFIC AND MISCELLANEOUS STATISTICS — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Average Miles of Road Operated	REVENUE MILES				REVENUE PASSENGERS CARRIED		TONS OF FREIGHT CARRIED	
		PASSENGER BUSES		Freight, Express and Mail Trucks	Truck Trailers	Regular Tariff Rate	Excursion or Special Rates	Revenue	Non-Revenue
		Regular Service	Excursion or Special						
BUS OPERATIONS									
Ader Coach Lines.....	622	1,293,925				26,763			
Atlantic Greyhound Lines.....	6,083	14,844,414	148,300			3,444,565	29,300		
Bainbridge-Columbus Motor Lines.....	178	16,198				1,949			
Coleman Motor Lines.....	548	1,080,000				120,947			
East Coast Stages, Inc.....	1,281	2,251,497	17,300			462,402	3,600		
Florida Motor Lines, Inc.....	1,758	3,755,046	79,990			672,017	16,016		
Florida Motor Lines Corporation.....	1,758	1,822,204	89,369			318,619	9,575		
Georgia Stages, Inc.....	767	76,479				14,318			
Glades "K" Motor Lines.....	304	214,785				16,713			
Gulf Coast Motor Lines.....	37	91,833				20,867			
Gulf Crescent Motor Lines, Inc.....	190	304,747				30,560			
Lee Coach Line.....	582	213,037				32,384			
Monroeville Bus Company, Inc.....	276	176,824				30,770			
Pass-a-grille Beach Bus Line.....	22	67,992				54,249			
Rook's Coach Line.....	50	33,470				2,440			
Seminole Coach Line.....	118	112,030	96			11,513	32		
Southeastern Greyhound Lines, Inc.....	1,204	1,826,801	27,322			335,438			
Southern Tours, Inc.....		52,446	754			3,319	62		
Tallahassee-Monticello Bus Line.....	24	23,567				1,008			
Union Bus Company.....	1,913	2,876,695	49,785			535,750	4,320		
Total Bus Operations — Common Carrier	17,715	31,133,990	412,316			6,136,591	62,905		

STATISTICS OF AUTO TRANSPORTATION COMPANIES — CALENDAR YEAR 1936
MILEAGE, TRAFFIC AND MISCELLANEOUS STATISTICS — ENTIRE LINE

NAME OF COMPANY OR OPERATOR	Average Miles of Road Operated	REVENUE MILES				REVENUE PASSENGERS CARRIED		TONS OF FREIGHT CARRIED	
		PASSENGER BUSES		Freight, Express and Mail Trucks	Truck Trailers	Regular Tariff Rate	Excursion or Special Rates	Revenue	Non-Revenue
		Regular Service	Excursion or Special						
COMBINED BUS AND TRUCK OPERATIONS									
Green's Taxi and Baggage Transfer.....	7	9,240	-----	2,148	2,805	1,868	-----	350	-----
McJunkin, Wayne F.....	34	48,312	-----	10,848	-----	3,700	-----	493	-----
St. Andrews Bay Transportation Company.....	226	281,680	1,300	104,738	-----	40,889	478	1,314	-----
Tamiami Trail Tours, Inc.....	700	599,838	13,450	686,494	356,064	86,046	3,600	17,122	3
Teche Lines, Inc.....	2,429	7,411,327	72,697	-----	-----	2,029,797	12,232	-----	-----
University City Transfer Company, Inc.....	388	-----	-----	198,567	55,797	-----	-----	4,914	-----
Total Bus and Truck Operations — Common Carrier.....	3,784	8,350,397	87,447	1,002,795	414,666	2,162,300	16,310	24,193	3



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